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A MANUAL OF STATUTES

OF

Connecticut

RELATING TO

THE PUBLIC HEALTH

AND SAFETY



A
MANUAL OF STATUTES
OF
CONNECTICUT
RELATING TO
The Public Health
and Safety

COMPILED AND PUBLISHED BY DIRECTION OF THE
STATE BOARD OF HEALTH

HARTFORD PRESS:
THE CASE, LOCKWOOD & BRAINARD COMPANY.
1902.

CONNECTICUT STATE BOARD OF HEALTH.

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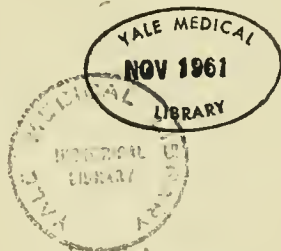
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This pamphlet is a compilation of Statutes directly bearing upon Public Health and Safety.

In some cases parts of Acts indirectly bearing upon the Public Health are included herein.

The numbers of sections in the General Statutes (Revision of 1902) are followed in this compilation.

In several instances only a part of the sections relating to a given subject are included.

For additional legislation consult the "Revision."



STATUTES RELATING TO PUBLIC HEALTH
AND SAFETY.

§ 134. Reports; number of, time of printing. The comptroller shall cause to be printed at the expense of the state, annually, a sufficient number of copies of each of the following annual reports, not exceeding the number hereinafter stated; that is to say:

1885, 1887.
Rev. 1888, §331.
1889, chs. 12, 32,
173, 174.
1893, ch. 18, §1.
1895, chs. 3, 17,
46, §4.
1897, ch. 232, §4.
1899, ch. 147, §2.
1901, chs. 8, 30.

§ 1290. Notice forbidding disturbing noises on July fourth. If any person shall be sick, or in such condition as likely to be injured in health by noise or disturbance, a notice to that effect, signed by a practicing physician, may, during the third and fourth days of July, be conspicuously placed on the front of the house where such person is staying, and every person having knowledge of said notice, who shall, during the time such notice is displayed, make any disturbing noise, as defined in § 1288, within four hundred feet of said house, shall be fined not more than five dollars.

1885.
Rev. 1888, §1514.

§ 1304. Attempt to avoid responsibility for highway collision. Every person who, while riding on or propelling a bicycle, or driving or directing any vehicle of any character, upon a public street or highway, shall run against, upon, or over any persons upon such public street or highway, or the property of any person, in his personal possession or use, in such a manner as might do an injury to such person or property, and shall not stop at once to ascertain the extent of such injury and to render such assistance as may be needed, or shall refuse to give his name and residence, or shall give a false name or residence when asked for by the person so injured or by any other person in his behalf, shall be fined not more than five hundred dollars, or imprisoned in the county jail not more than six months, or both.

1889, ch. 31.
1897, ch. 91.
1901, ch. 91.

§ 1321. Secret delivery of a bastard. Every woman who shall conceal her pregnancy, and shall willingly be delivered, in secret, by herself of any bastard child, shall be fined not more than one hundred and fifty dollars, or imprisoned not more than three months.

1898.
Rev. 1888, §1533.

§ 1322. Concealment of birth of bastard. Every woman who shall endeavor to conceal the birth of any such child, so that it may not come to light, shall be fined not more than three hundred dollars, and imprisoned in a jail not more than one year; and shall become bound to the state in recognizance, with surety, for her good behavior.

1898.
Rev. 1888, §1534.

§ 1328. Indecent exposure. Pollution of water of reservoir. Every person who shall wantonly and indecently expose his person, or who shall bathe in any reservoir from which the inhabitants of any town, city, or borough are supplied with water, or who shall cast any filthy or impure substance into said

1871, 1872, 1874.
Rev. 1888, §1540.
1893, ch. 40.
1895, ch. 28.

reservoir, or any of its tributaries, or commit any nuisance in or about it or them, shall be fined not more than one hundred dollars, or imprisoned not more than six months, or both.

1883.
Rev. 1888, §1552.

§ 1345. Sale, use, or exposure of glandered horses. Every person who shall knowingly sell or offer for sale, or cause to be sold or offered for sale, or who shall use or expose, or allow to be used or exposed, any horse or other animal having the disease known as the glanders or farcy, shall be fined not more than fifty dollars, or imprisoned not more than thirty days, or both.

1864.
Rev. 1888, §1553.
1901, ch. 154.

§ 1346. Sale or shipment of diseased flesh. Every person who shall wilfully sell, or offer to sell, or ship out of this state the flesh of any animal or fowl which died or was killed when diseased, or the flesh of any calf which was less than four weeks old when killed, shall be fined not more than one hundred dollars, or imprisoned not more than six months.

1895, chs. 325,
350.

§ 1354. Marriage of epileptics and imbeciles. Every man and woman, either of whom is epileptic, imbecile, or feeble-minded, who shall intermarry, or live together as husband and wife, when the woman is under forty-five years of age, shall be imprisoned not more than three years. But nothing herein contained shall be construed as affecting the mutual relations of any man and woman lawfully married on or before the thirty-first of July, 1895.

1865.
Rev. 1888, §1561.

§ 1357. Joining persons in marriage without authority. Whoever undertakes to join persons in marriage, knowing that he is not authorized so to do, shall be fined not more than five hundred dollars, or imprisoned not more than one year, or both.

1889, ch. 80.

§ 1361. Sale of tobacco to minors. Every person who shall sell, give, or deliver to any minor under sixteen years of age, tobacco in any form, shall be fined not more than fifty dollars for each offense.

1889, ch. 80.

§ 1362. Use of tobacco by minors. Every person under sixteen years of age, who shall smoke, or in any way use, in any public street, place, or resort, tobacco in any form whatsoever, shall be fined not more than seven dollars for each offense.

1865.
Rev. 1888, §1879.

§ 1376. Depth of burial. No person shall bury any corpse within four feet from the surface of the ground; and any person who shall violate this provision shall be fined not more than fifty dollars, or imprisoned not more than thirty days, or both.

1824, 1882.
Rev. 1888, §1880.

§ 1377. Unlawful disinterment. Every person who shall open the grave or tomb where any corpse has been deposited, or remove any corpse from its place of sepulture, without the consent of the husband or wife, or the near relatives of the deceased, or receive, conceal, or secrete any corpse so removed, or assist in any surgical or anatomical experiments, or demonstrations therewith, or dissection thereof, knowing it to have been so removed, shall be fined not more than two thousand dollars, and imprisoned not more than five years.

1883.
Rev. 1888, §2004.

§ 1773. Appointment of medical examiner. The coroner of every county shall, in writing, under his hand, appoint for each town in the county an able and discreet person learned in medical science to be medical examiner, who

shall give a bond in the sum of one thousand dollars to the coroner for the faithful discharge of the duties of his office, and shall hold his office at the pleasure of the coroner. Every such appointment shall be recorded in the records of the superior court in the county where made; and whenever any medical examiner shall be removed the coroner shall deliver to him a written discharge and file a copy thereof for record, with the clerk of the superior court.

§ 1774. Reports of violent deaths to medical examiner. When any person shall come to a sudden, violent, or untimely death, and when any person shall be found dead the manner of whose death is not known, any one who shall become aware of such death shall forthwith report the same to the medical examiner for the town in which the dead body lies. Said examiner shall pay the person first reporting such death fifty cents therefor, and shall without delay repair to view and take charge of the body.

1650, 1874, 1883.
Rev. 1888, §2005.

§ 1775. Returns by medical examiner. Whenever after such view and immediate inquiry the medical examiner shall be satisfied that the death was not caused by the criminal act, omission, or carelessness, of another or others, and that there are no suspicious circumstances attending the same, he shall forthwith make out, sign, and leave with the registrar of births, marriages, and deaths of the town a certificate of death in the form required by law; and he shall also, immediately after such view and inquiry, make out and mail or deliver to the coroner of his county a certificate signed by him of the following or similar import:

1883.
Rev. 1888, §2006.

I, the undersigned, A. B., medical examiner, having notice of the death of C. D. (white or colored) _____ male _____ years old, late of the town of _____ in _____ (or if an unknown person state that fact and carefully describe the body, its clothing, and articles found on or near it which may be of service in its identification, always stating sex, color, apparent age, color and cut of hair, beard, color of eyes, and all special marks or deformities of body) _____ who on the _____ day of _____, A. D. 19—, (was found dead or died) in the town of _____, having viewed the body of said deceased, and made immediate inquiry concerning his death, do hereby certify that said C. D. died in _____ on the _____ day of _____, A. D., 19—, from (natural cause, suicide, or accident, as the case may be, stating manner of suicide and nature of accident), and that I am satisfied that the said death was not caused by the criminal act, omission, or carelessness of any other person or persons, and that an inquest is unnecessary. In accordance with the statute I have delivered the body of said deceased to (his friends or town authorities) for burial.

Dated, _____. A. B., Medical Examiner.

§ 1776. Medical examiner to notify coroner. Whenever a medical examiner shall see reason to suspect that the person whose body he has viewed came to his or her death by the criminal act, omission, or carelessness of another or others, he shall as speedily as possible by telegraph, telephone, or otherwise notify the coroner for the county of such death and of the place where the dead body is lying. Whenever the coroner has such notice he shall at once, and on other notice may, proceed to view and take charge of the dead body and make all proper inquiry respecting the cause and manner of the death; and if from such view and inquiry he shall be satisfied that the death was not caused by the criminal act, omission, or carelessness of another or others, then said

1883.
Rev. 1888, §2007.

coroner shall make and sign the certificates required in like cases of medical examiners by § 1775.

1883.
Rev. 1888, §2008.

§ 1777. Autopsy. After a view and inquiry had by the coroner, if he shall have reason to suspect that the death was caused by the criminal act, omission, or carelessness of another or others, he may cause an examination or autopsy to be made of the body by the medical examiner or by some other competent surgeon or physician, who shall reduce or cause to be reduced to writing, either at the time of making such examination or autopsy or immediately thereafter, and when practicable in the presence of the body, every fact and circumstance found by such examination or autopsy which tends to show the identity or condition of such body, and the time, manner, and cause of such death; which writing he shall subscribe under oath and deliver to said coroner. The taking of the testimony of such medical examiner, physician, or surgeon, and of any other person or persons whom the coroner may find it necessary to examine, shall constitute an inquest.

1702, 1816, 1883.
Rev. 1888, §2018.

§ 1787. Penalties. Every officer who shall wilfully violate any provision of this chapter, and every person who shall wilfully and without good cause neglect or refuse to serve on a jury of inquest when duly summoned; and every person who shall wilfully, and without good cause, neglect or refuse to report a case of death as prescribed in §§ 1774 and 1789, or who shall wilfully and unnecessarily touch, remove, or disturb any dead body, or any article on or near such body, or disturb its surroundings, shall be fined not more than five hundred dollars, or imprisoned not more than one year, or both.

1883.
Rev. 1888, §2019.

§ 1788. Powers of deputy coroner. Every coroner shall, for such time as he may designate, appoint a deputy, who shall only act as such in case of the absence from his county, or inability of the coroner, and when so acting, such deputy coroner shall have the same powers and duties as are given to coroners, and while so acting shall receive the same fees as the coroner in like cases.

1883.
Rev. 1888, §2020.

§ 1789. Reports to medical examiner of another town. In case of the absence or inability of the medical examiner it shall be the duty of any person aware of the death of a person under the circumstances named in § 1774 to report the same forthwith to the most accessible medical examiner for another town, who shall thereupon perform the duties and shall have the powers of the local medical examiner.

1883.
Rev. 1888, §2021.

§ 1790. Proceedings in absence of coroner. In case the attendance of a coroner or of his deputy cannot be procured within thirty-six hours after the medical examiner has taken charge of a dead body, upon which an inquest ought to be held, or sooner in case of the known inability of the coroner and his deputy to attend, the medical examiner who first took charge of such dead body may then hold such an inquest thereon, and in and for such case only such medical examiner shall have all the powers and be subject to all the duties given to and prescribed for coroners by this chapter; but the coroner, or, in case of his inability, his deputy, may at any time enter and take control of such inquest, and thereupon such medical examiner shall be relieved from all further powers and duties therein.

§ 1791. Chemical or microscopical analysis. If in any case it shall appear to the coroner to be necessary to have a chemical or microscopical analysis, or other scientific investigation, for the purpose of ascertaining the cause of the death of the person on whose body he is holding an inquest, he shall so report to the state's attorney of his county, who may order such analysis or investigation to be made and who shall certify to the expense thereof, which expense shall then be paid by the state on an order therefor by the clerk of the superior court of such county; the fees of any physician or surgeon for services rendered under the provisions of § 1777 shall be certified and paid in the same manner.

1883.
Rev. 1888, §202.

§ 1855. Town clerk ex officio registrar. The town clerks of the several towns shall be, *ex officio*, the registrars of births, marriages, and deaths in their respective towns, except in towns where such registrars are elected under special laws, and shall be sworn to the faithful performance of their duties as such.

1884, 1886.
Rev. 1888, §98.

§ 1856. Assistant registrar. The town clerk of any town, who shall be *ex officio* registrar of births, marriages, and deaths in such town, may, with the approval of the selectmen, appoint, in writing, an assistant registrar, who, on being sworn, shall have the powers and perform the duties of such registrar during the time for which he shall be appointed, not extending beyond the term of office of such registrar.

1886.
Rev. 1888, §99.

§ 1857. Official seal. The registrar of births, marriages, and deaths in every town shall have an official seal, which shall be provided by the town, to be used in authenticating certificates and copies of record.

1885.
Rev. 1888, §100.

§ 1858. Duties of registrars. Every registrar of births, marriages, and deaths shall ascertain as accurately as he can all the marriages and deaths occurring in his town; and all births, upon the affidavit of the father or mother, and record the same in a book or books kept by him for that purpose, in such form and with such particulars as shall be prescribed by the state board of health. He shall give licenses to marry, according to the provisions of law; shall make and perfect all records of the birth and death of the persons born or deceased in his town, and when any birth or death shall happen of which no certificate shall be returned to him, he shall obtain the information required by law respecting such birth or death. He shall distribute to all persons in his town, who in his judgment are likely to need them, blank forms for the certificates and returns required by law to be made to him; shall execute the provisions of all by-laws, not contrary to law, that may be enacted by any town or city or borough to more effectually insure therein a more perfect registration of births, marriages, and deaths; shall record in the books furnished by the bureau of vital statistics such facts concerning the births, marriages, and deaths in his town as may be therein required; shall amend his records as he may discover mistakes or omissions therein; shall keep the records of his office, when a fireproof safe is not provided for his use, in the vaults provided for the land records of his town; shall on or before the seventh day of each month send to the superintendent of vital statistics an attested copy of every certificate of death received by him for the calendar month next preceding; and on or before

1852, 1856, 1868,
1884.
Rev. 1888, §101.
1897, ch. 143.

the fifteenth day of every month an attested copy of every certificate of birth, and of every certificate of marriage received by him for the month next preceding. The registrar shall also transmit from time to time to the said superintendent an attested copy of all other certificates of births, marriages, and deaths which he shall acquire in amending or completing his records. The copy shall be made in the form prescribed by the state board of health, and upon blanks provided by the said board.

1893, ch. 182.
1895, ch. 195.
1897, ch. 121.

§ 1859. Registrar to complete records. False entry. Said registrars shall complete the records of their respective towns by adding thereto a record of all the births, marriages, and deaths that have occurred in said towns since the date of their incorporation, of which no certificate has been returned to their office; *provided*, the facts upon which such record is made are obtained from the record of a public official, or of a church society, or under §§ 1858, 1861, and 1862, and said record shall indicate the place from which such facts were obtained. Every registrar who shall knowingly make any false entries of the record of any birth, marriage, or death, shall be fined not more than fifty dollars or imprisoned not more than three months, or both.

1886.
Rev. 1888, §102.

§ 1860. Indexes. It shall be the duty of registrars of births, marriages, and deaths to keep alphabetically arranged indexes of all births, marriages, and deaths, and to properly enter in such indexes the name of every person whose birth, marriage, or death is recorded by them.

1884.
Rev. 1888, §103.

§ 1861. Birth certificates. Every physician or midwife who shall have professional charge of the mother at the birth of any child, and every attendant who may act as midwife at such a time, where no physician or midwife is employed, shall, during the first week of the month next succeeding such birth, furnish the registrar of the town wherein such birth may have taken place a certificate, signed by such physician, midwife, or attendant, and stating, from the best information which can be obtained, the name, if such child have a name, the place and date of birth, the sex, the name of the father, the maiden name of the mother, the ages, color, residence, and nationality of the parents, the occupation of the father, the number of the child, and the name and address of the medical attendant.

1884, 1887.
Rev. 1888, §104.
1893, ch. 155.
1901, ch. 134.

§ 1862. Death certificates; contagious diseases; bodies disinfected. The physician last in attendance upon a person in his last sickness, within twenty-four hours after the death of such person, or a medical examiner, in cases of which he has cognizance after he is prepared to make his report, shall make out a certificate upon a blank furnished by the state board of health, stating therein the full name of the deceased, the cause or causes of death, and the duration of disease, if known; and said physician shall provide that such certificate may be obtained at his office upon application therefor. In case no physician attended such deceased person, or in case of the inability of the attending physician by reason of sickness, death, or absence, to make out such certificate, a near relative may procure such certificate from the health officer of the town in which such person died. Said certificate, together with the undertaker's certificate herein provided for, shall be deposited with the registrar of the town in which said person died, to obtain a permit for burial or removal as provided in §§ 1864 and 1871. The undertaker or per-

son in charge of the burial of the deceased person shall make out a certificate upon a blank furnished by the state board of health stating therein the full name of the deceased; the place of death, including street and number and ward, if any; the number of families in the house, if tenement; residence at time of death; occupation; condition (single, married, divorced, or widowed, and if a wife or widow, of whom); date of birth; sex; color; birthplace; father's name in full; father's birthplace; mother's full maiden name; mother's birthplace; place of burial; and from whom he received the information. Every person having in charge and preparing for burial the body of any deceased person who shall have died from cholera, yellow fever, diphtheria, membranous croup, typhus fever, typhoid fever, scarlet fever, measles, leprosy, smallpox, or other pestilential disease, shall, where the same has not already been done, disinfect said body in accordance with the method which may be, from time to time, prescribed by the state board of health,* or inclose it in an air-tight coffin or case, hermetically sealed, and shall give to said registrar a certificate signed and sworn to by him stating that said body has been disinfected or inclosed as herein provided. Any person who shall violate any provision of this section, or who shall knowingly sign a false certificate, shall be fined not more than twenty-five dollars.

§ 1863. Deaths in reformatory institutions. Whenever any boy committed to the Connecticut school for boys, or any girl committed to the industrial school for girls, shall die, the superintendent shall cause immediate notice thereof to be sent by mail to the registrar of births, marriages, and deaths of the town from which said boy or girl was so committed.

1884.
Rev. 1888, §105.

§ 1864. Burial permits required; sub-registrars. No deceased person shall be buried in the town in which such person shall have died until a burial permit, stating the place of burial and that the certificate of death required by law has been returned and recorded, has been given by the registrar, who shall issue such permit whenever such certificate of death has been received by him, and the registrar shall record the place of any burial other than in a public cemetery. The town registrar may appoint suitable and proper persons, not exceeding two in number in any town, as sub-registrars, who shall be authorized to issue burial permits based upon a death certificate, as hereinbefore provided, in the same manner as is required of the town registrar; and every such certificate of death, upon which a permit is issued, shall be forwarded to the registrar within seven days after receiving said certificate. The appointment of sub-registrars shall be made in writing, with the approval of the selectmen of said town, and be made with reference to locality, so as to best accommodate the inhabitants of the town. Said sub-registrars shall be duly sworn, and their term of office shall not extend beyond the term of office of the appointing registrar.

1887.
Rev. 1888, §106.
1893, ch. 155.

§ 1865. Returns to state board; preservation of certificates. It shall be the duty of the registrar of each town, on or before the seventh day of each month, to transmit to the secretary of the state board of health a mortality statement of the town, in such form and with such particulars as shall be prescribed by the state board of health: and it shall be the duty of registrars to preserve on file the original certificates of births, marriages, and deaths.

1887.
Rev. 1888, §107.

§ 1866. Disinterment permits. No person shall open any grave for the disinterment of the body of any deceased person in any cemetery, or burial

1884.
Rev. 1888, §108.

* See Appendix A.

place, or disinter or remove such dead body from the town in which the death took place, without having procured from the registrar a permit therefor.

1884, 1887.
Rev. 1888, §109.
1897, ch. 9.

§ 1867. Issue of permits. On receipt by the registrar of a certificate of death properly made and containing the facts required by law for a permit for burial, or when it appears that such certificate is already a matter of record, or that the original burial permit, by virtue of which the body was brought into the town, is on file or recorded in said registrar's office, the registrar, upon request, shall issue a permit for the disinterment or removal of the body of any deceased person, stating therein the locality of the interment, disinterment, or removal; but no permit for the disinterment of the body of any deceased person during the months of June, July, August, or September shall be issued, except when required for the purpose of a legal investigation; nor shall any permit be issued in cases where death was caused by an infectious disease except by the permission and under the direction of the town health officer.

1884.
Rev. 1888, §110.

§ 1868. Report of name of sexton. In all towns the secretary or committee of each cemetery association shall report to the registrar of the town in which the cemetery of such association is situated, the name of the sexton in charge thereof, and any change thereafter.

1884.
Rev. 1888, §111.
1897, ch. 10.

§ 1869. Sextons' reports. Every person having charge of any burial place shall, during the first week of each month, return a list of all interments, disinterments, and removals made by him during the month next preceding, with the dates thereof, to the registrar of the town, and also within said time file with said registrar permits received by him by virtue of which a body has been brought into the town from another town or state for burial, with his indorsement thereon showing when and in what cemeteries the interments took place. And said registrar shall inscribe upon the back of each certificate and each permit so received the date of its reception, and record said lists and said permits in books to be furnished by the bureau of vital statistics. And whenever a permit is given for the disinterment and removal of a body, the registrar shall make a memorandum on his records of such removal and the place to which said body is removed.

1884, 1887.
Rev. 1888, §112.

§ 1870. General penalty. Any person violating any of the provisions of this chapter, for which no specific penalty is provided, shall be fined not exceeding twenty-five dollars, nor less than ten dollars. But this shall not be construed as in any way limiting or affecting the provisions of § 1377.

1884.
Rev. 1888, §113.
1893, ch. 155, §3.

§ 1871. Removal of corpse from one town to another. No person shall remove the body of any deceased person from or into the limits of any town in this state unless there shall be attached to the coffin or case containing such body a written or printed permit, signed by the registrar of deaths in the town in which such deceased person died, certifying the cause of death or disease of which such person died and the town in which such person is to be buried; and further certifying, in case said disease or cause of death appears by said permit to have been cholera, yellow fever, diphtheria, membranous croup, typhus fever, typhoid fever, scarlet fever, measles, leprosy, smallpox, or other pestilential disease, that said body is inclosed in an air-tight coffin or case, hermetically sealed, or has been disinfected in accordance with the method prescribed from time to time by the

state board of health; such removal permit shall be sufficient to enable said deceased person to be buried in any town in this state other than the town in which such person died, without a burial permit from the registrar of the town where such person is to be buried. A certificate of death giving heart failure as the only cause of death shall not be deemed sufficient upon which to issue a burial or removal permit, and such certificate must be returned to the physician who made it for the proper correction and definition. Every registrar shall inscribe upon the back of each certificate of birth, marriage, or death received for record the date of its reception, and the registrar shall be entitled to a fee of ten cents for each indorsement so made. If the body of a deceased person is brought into this state from without for burial and if it is accompanied by a removal permit issued by the legally constituted authorities of the state from which it was brought, such permit shall be received as sufficient authority for burial; but if it is not accompanied by such permit, then the person or persons in charge of it shall apply for a burial permit to the registrar of the town in which it is to be buried, and the registrar of the town shall issue such permit when furnished with such information as to the identity of the deceased and the cause of his or her death, as is required by law of a person dying in the state of Connecticut. Every person who shall violate any provision of this section, or who shall knowingly sign a false permit, or knowingly allow any false permit to be used in lieu of a permit required by this section, shall be fined not more than five hundred dollars, or imprisoned not more than six months, or both.

§ 1872. By-laws of towns and cities. Any town or city may enact by-laws not contrary to law, more effectually to obtain a perfect registration of births, marriages, and deaths; and the registrar of the town in which such by-laws may be enacted shall execute their provisions under the same oath and penalty as if they were the statute laws of the state.

1860.
Rev. 1888, §116.

§ 2142. Sanitary condition of schoolhouse. Every schoolhouse shall be kept in a cleanly state and free from effluvia arising from any drain, privy, or other nuisance, and shall be provided with a sufficient number of proper water closets, earth closets, or privies, for the use of the pupils attending such schoolhouse, and shall be properly ventilated.

1893 ch.265, §§1,
2.

§ 2143. Unsanitary conditions; proceedings to remedy. Whenever it shall be found by the state board of education, or by the board of school visitors, or by a member of the town school committee of the town in which any schoolhouse is located, that further or different sanitary provisions or means of lighting or ventilating are required in any schoolhouse, and that the same can be provided without unreasonable expense, either of said boards, or such member of the town school committee may recommend to the person or authority in charge of or controlling such schoolhouse such changes in the ventilation, lighting, or sanitary arrangements of such schoolhouse as they may deem necessary. In case such changes be not made substantially as recommended within two weeks from the date of notice thereof such board or member of the committee may make complaint to the proper health authority of the community in which such schoolhouse is situated, which said authority shall, after notice to and hearing of the parties interested, order such changes made in the lighting, ventilation, or sanitary arrangements of such schoolhouse as it may deem necessary and proper.

1893, ch. 265, §3.

1893, ch. 265, §§4,
5.

§ 2144. Schoolhouse defined. The word schoolhouse as used in §§ 2142 and 2143 shall include any building or premises in which instruction is afforded to not less than ten pupils at one time. Every violation of any provision of §§ 2142 or 2143 shall be punished by a fine of not more than five hundred dollars or imprisonment for not more than six months, or both.

1878, 1882,
Rev. 1888, §2137.
1899, ch. 54, §1.

§ 2161. Vaccination of school children. The board of school visitors, town school committee, or board of education, may require every child to be vaccinated before being permitted to attend a public school under its jurisdiction. If the parents or guardians of any children are unable to pay for such vaccination, the expense thereof shall, on the recommendation of said board or committee, be paid by the town. Said board or committee may exclude from any school under its supervision all children under five years of age whenever in its judgment the interest of such school will be thereby promoted.

1886,
Rev. 1888,
§§2100, 2141.
1893, ch. 157.
1901, ch. 81.

§ 2162. Effects of alcohol and narcotics to be taught. Hygiene, including the effects of alcohol and narcotics on health and character, shall be taught as a regular branch of study to pupils above the third grade in public schools; and, in grades above the fifth, text-books treating of the effects of alcohol and narcotics on the human system shall be used. This section shall apply to classes in ungraded schools corresponding to the grades designated herein, but shall not include high schools. Normal and teachers' training schools shall give instruction on the subjects prescribed in this section and concerning the best methods of teaching the same.

1899, ch. 104.
1901, ch. 40.

§ 2251. Eyesight of pupils to be tested. The state board of education shall prepare or cause to be prepared suitable test cards and blanks to be used in testing the eyesight of the pupils in public schools, and shall furnish the same, together with all necessary instructions for their use, free of expense, to every school in the state. The superintendent, principal, or teacher, in every school, during the fall term in the year 1904 and triennially thereafter, shall test the eyesight of all pupils under his charge according to the instructions furnished, and shall notify in writing the parent or guardian of every pupil who shall be found to have any defect of vision or disease of the eyes, with a brief statement of such defect or disease, and shall make written report of all such cases to the state board of education.

1886,
Rev. 1888, §3297.

§ 2478. Medical treatment of paupers. Every town shall provide medical treatment by one or more competent physicians for all persons liable to be supported by such town when such persons are in need thereof, but no town shall provide such medical treatment by contract by auction to the lowest bidder.

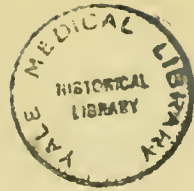
§ 2161. Statute held to be constitutional and in exercise of reasonable police power. 65 C. 183.

TITLE FIFTEEN.

PUBLIC HEALTH AND SAFETY.

CHAPTER 150.

State Board of Health.



§ 2502. State board of health; appointment. The governor, with the advice and consent of the senate, shall appoint six persons, three of whom shall be physicians, and one a lawyer, who, together with a secretary, to be chosen by themselves, shall constitute the state board of health. On or before May first in each year in which the general assembly is in session the governor shall appoint two members of said board who shall hold their offices for the term of six years from and after the first of July next succeeding the date of their appointment and until others are chosen and qualified in their stead. Any vacancy which may occur in said board shall be filled by the governor, and the person so appointed shall hold office until the expiration of the term.

1878.
Rev. 1888, §2574.
1897, ch. 18.

§ 2503. Meetings and officers. The state board of health shall meet at least once in every three months, and as much oftener as it may deem proper. Four members shall constitute a quorum. No member of the board except the secretary shall receive any compensation, but the actual traveling and other expenses of the members while engaged in the duties of the board shall be allowed and paid out of the appropriation made for its support. They shall select annually one member of the board as president, and shall appoint a suitable person, who shall be a physician, to be their permanent secretary and executive officer who shall hold his office so long as he shall faithfully discharge the duties thereof, but who may be removed for cause at any meeting of the board, a majority of the members voting therefor. If a member of the board be elected as secretary the vacancy thus caused shall be filled by the governor, as provided in § 2502.

1878.
Rev. 1888, §2575.

§ 2504. Secretary's duties. The secretary shall keep a record of the proceedings of the board, perform and superintend the work prescribed in this chapter, and shall discharge such other duties as the board may order.

1878, 1885.
Rev. 1888, §2576.

§ 2505. Duties of state board. Said board shall take cognizance of the interests of health and life among the people of this state; make sanitary investigations and inquire respecting the causes of disease and especially of epidemics, the sources of mortality, and the effects of localities, employments, conditions, *ingesta*, habits, and other circumstances upon the public health, and collect such information in respect to these matters as may be useful in the discharge of its duties and contribute to the promotion of health and the security of life in this state; cause to be made by their secretary or by a committee of the board inspections at such times as it may deem best, and whenever directed by the governor or the general assembly, of all public hospitals, prisons, asylums, or other public institutions, in regard to the location, drainage,

1878.
Rev. 1888, §2577.

water supply, disposal of *excreta*, heating and ventilation, and other circumstances in any way affecting the health of their inmates, and shall also suggest in writing to the officers thereof such remedies as they may consider suitable for the removal of all conditions detrimental to health in said institutions.

1878.
Rev. 1888, §2578.

§ 2506. Information to local authorities; reports. Said board shall cause all proper sanitary information in its possession to be promptly forwarded to the local health authorities of any city, borough, town, or county in the state, which may request the same, adding thereto such useful suggestions as the experience of said board may supply. Said local health authorities shall supply like information to said state board of health, together with a copy of their reports and other publications. Said board of health may require reports and information at such times and of such facts, and generally of such nature and extent, relating to the safety of life and promotion of health, as its by-laws or rules may provide, from all public dispensaries, hospitals, asylums, infirmaries, prisons, and schools, from the officers thereof, and from all other public institutions, their officers and managers, and from the proprietors, managers, lessees, and occupants of all places of public resort in the state; but such reports and information shall only be required concerning matters in respect of which said board may in its opinion need information for the proper discharge of its duties. Said board shall, when requested by public authorities, advise officers of the state, county, or local government in regard to sanitary drainage, and the location, drainage, ventilation, and sanitary provisions of any public institution, building, or public place.

1878.
Rev. 1888, §2579.

§ 2507. Information to local authorities. Said board shall give all information that may be reasonably requested concerning any threatened danger to the public health to local health officers and all other sanitary authorities in the state, who shall give like information to said board; and said board and said officers, and said sanitary authorities shall, so far as legal and practicable, coöperate to prevent the spread of disease, and for the protection of life and the promotion of health, within the sphere of their respective duties.

1887.
Rev. 1888, §2580.
1893, ch. 248, §12.

§ 2508. Notice of infectious diseases. When in any town, city, or borough, a case of smallpox, cholera, or any epidemic of infectious disease is known to exist, the local health officer of such town, city, or borough shall immediately notify the secretary of the state board of health of the existence of the same, with such facts as to its cause and continuance as may be known. Every person violating this section shall be fined not more than twenty-five dollars.

1878.
Rev. 1888, §2581.

§ 2509. Expert examinations and inspections. Said board may, from time to time, engage suitable persons to render sanitary service and to make or supervise practical and scientific investigations and examinations requiring expert skill, and to prepare plans and reports relative thereto. All officers, persons, corporations, or agents, having the control, charge, or custody of any public structure, work, ground, or erection, or of any plan, description, outlines, drawings, or charts thereof, or relating thereto, made, kept, or controlled under any public authority, shall permit and facilitate the examination and inspection, and the making of copies of the same by any person by said board authorized; and the members of said board and such persons as may be authorized by said

board may, without fee or hindrance, enter, examine, and survey all such grounds, erections, vehieles, structures, apartments, buildings, and places.

§ 2510. Supervision of vital statistics. Said board shall have the general supervision of the state system of registration of births, marriages, and deaths, and shall prepare the necessary methods and forms for obtaining and preserving such records, and insure the faithful registration of the same in the several counties, and in the central bureau of vital statistics. Said board shall recommend such forms and amendments of law as shall be necessary for the thorough organization and efficiency of the registration of vital statistics throughout the state. The secretary of said board shall be the superintendent of registration of vital statistics. As supervised by the said board the clerical duties and safe-keeping of the bureau of vital statistics thus created shall be provided for by the comptroller, who shall also provide and furnish such apartments and stationery as said board shall require in the discharge of its duties.

1878.
Rev. 1888, §2582.

§ 2511. Annual report. Said board, on or before the first of December in each year, shall make a report in writing to the governor upon the vital statistics and the sanitary condition and prospects of the state, which report shall also set forth the action of said board and its officers and agents, the names thereof for the past year, and contain a full statement of its acts, investigations, and discoveries, with such suggestions for legislative action or other precautions as it may deem proper for the better protection of life and health. Said report shall contain a detailed statement of the money received and expended by said board for the year ending the thirtieth of September next preceeding, and the manner of expenditure; but the total amount paid for the expenses of said board, including the salary and expenses of the secretary, shall not exceed five thousand dollars, except as hereinafter provided, which amount is hereby annually appropriated for this purpose, to be paid by the treasurer on the comptroller's warrant, in such sums as the certificate of the board, with proper vouchers annexed, may certify from time to time.

1878, 1885.
Rev. 1888, §2583.
1897, ch. 35.

§ 2512. Power in case of cholera or yellow fever. In case the Asiatic cholera, or yellow fever, as an epidemic, shall prevail in this country, and in consequence thereof it shall become necessary in the unanimous opinion of the state board of health to expend, in protecting the people of this state from the ravages of either of said diseases, a greater amount than the sum provided by law to be expended by said board, said board is hereby authorized and empowered to expend such other and further sum or sums as may in its opinion be necessary for that purpose, to be paid by the treasurer, on the comptroller's warrant, out of any money appropriated therefor; but no other or further sum than five thousand dollars appropriated by § 2511 shall be expended by said board, except by the unanimous vote of said board, and by the approval of the governor, evidenced by a certificate to that effect to the comptroller, with proper vouchers annexed.

1886.
Rev. 1888, §2584.
1893, ch. 195.

§ 2513. Inspection of baggage. At such ports or places, or on such lines of travel as there may be danger of the introduction into this state of cholera, or yellow fever, the state board of health shall have the power to establish such systems of inspection as may be practicable and needful to ascertain the presence of the infection of cholera, or yellow fever in the persons of immi-

1893 ch. 195.

grants or travelers, in wearing apparel, baggage, or freight; to question on oath immigrants, travelers, or other persons, which oath a duly appointed inspector of the state board of health may administer, as to the place from which the suspected person, baggage, or freight came, the time elapsed since his or its exposure to cholera or yellow fever, and other subjects on which information is needed; and the state board of health may order such disinfection of baggage or other articles which are infected or liable to be infected, and cause such isolation of persons or things infected or liable to be infected as may be necessary for the public safety by placing it or them in the care of the local health authorities, or by other practical methods, to the end that the object of this section shall be fulfilled. The board shall frame and publish rules for the conduct of such inspection. Every person who shall wilfully violate any of said rules shall be fined not more than five hundred dollars or imprisoned not more than one year, or both. The board may, from time to time, appoint such inspectors as may be necessary for the proper enforcement of this section, may fix the compensation of such inspectors, and may discharge such inspectors at its pleasure; and the expenses of said inspection shall be defrayed from the amount appropriated under §§ 2511 and 2512.

1886.
Rev. 1888, §2585.
1893, ch. 271.
1897, ch. 35.

§ 2514. Pollution of streams. Said board is empowered to investigate and ascertain as far as practicable all facts in relation to the pollution of streams and natural waters of this state by artificial causes to determine the sanitary and economic effects of such pollution, may enter upon lands, buildings, and premises, as may be necessary for their investigations, may institute and conduct needful experiments pertaining thereto, and may summon witnesses, administer oaths, and hear evidence relating to such matters. Said board shall annually make a written report to the governor of its operations under this section.

1886.
Rev. 1888, §2585.
1893, ch. 271.

§ 2515. Treasurer to pay on comptroller's warrant. The treasurer shall pay to said board of health for the purposes of such investigations and experiments, upon the comptroller's warrant, in such sums as the certificate of the board with proper vouchers annexed may certify a sum not exceeding twenty-five hundred dollars.

1879.
Rev. 1888, §2587.

§ 2516. Return and tabulation of divorces. The clerks of the superior court shall, at the close of each term or session thereof, return to the secretary of the state board of health the number and causes of divorces granted at such term or session, which returns shall be tabulated, and published in the annual report of said board.

CHAPTER 151.

Health Officers.

1893, ch. 248, §§1,
2, 6.

§ 2517. Appointment of county health officers. The judges of the superior court shall appoint for each county a health officer. The person so appointed shall be an attorney-at-law, residing in the county for which he shall be appointed. Each county health officer shall hold his office for four years

from the first of July following his appointment and until his successor is appointed and qualified, unless sooner removed. Any vacancy shall be filled for the remainder of the unexpired term by the governor on nomination by the state board of health. Any county health officer may be removed by a judge of the superior court. Before entering on the discharge of his duties each county health officer shall be sworn to the faithful discharge thereof.

§ 2518. Powers and duties. The county health officer shall cause the execution of the laws relating to public health and the prevention and abatement of nuisances dangerous to public health, and of the laws relating to the registration of vital statistics, and cooperate with and supervise the doings of town, city, and borough health officers, and boards of health, within his county. He shall have all the powers of a grand juror in each of the several towns within his county, and all the powers of the prosecuting officer of each city, borough, town, or police court within his county in prosecutions for violations of the laws concerning contagious diseases and public health, nuisances injurious to health or life, for violations of by-laws or ordinances relating to public health and contagious diseases adopted by a city or borough, for the violation of the orders of town, city, or borough health officers, for the prevention or removal of nuisances dangerous to public health, for violations of the laws relating to the registration of vital statistics, to the practice of medicine, surgery, or midwifery, and of the laws relating to the sale of poisons and antitoxine. County health officers may sign complaints, in any town, city, or borough in the county, to run into the same or any other town, city, or borough in the county.

1893, ch. 248, §3.
1895, ch. 252, §3.
1897, ch. 175.

§ 2519. Temporary vacancy. In the event of a vacancy in the office of health officer for any county, or in the event of his absence, inability, or disqualification, the health officer of an adjoining county, to be designated by the governor, may act until a county health officer is appointed, and shall possess all the powers of such county health officer, and shall file a record of his doings with the succeeding health officer of such county.

1893, ch. 248, §13.

§ 2520. Compensation and reports. The county health officer shall receive for his services ten dollars per day and necessary expenses, when actually employed in the discharge of his duties, which shall be paid him quarterly by the comptroller. He shall keep a full record of his doings and shall annually, in the month of October, make a report to the state board of health.

1893, ch. 248, §§4, 5.

§ 2521. Appointment and jurisdiction of town health officers. The county health officer shall, in writing, appoint for each town some discreet person, learned in medical and sanitary science, to be health officer for said town, except in towns containing a city or borough whose limits are coterminous with the limits of said town. In each town, except in towns having a city or borough within their limits, said town health officer shall have and exercise all the powers necessary and proper for preserving the public health and preventing the spread of diseases; and in towns within which there exists a city or borough the limits of which are not coterminous with the limits of such town such town health officer shall exercise the powers and duties of his office only in such part of said town as is outside the limits of said city or borough. Each town health

1805, 1882.
Rev. 1888, §2586.
1893, ch. 248, §8.

See §2531.

§ 2521. *De powers of town health authorities to take private property for use as a pesthouse.* 42 C. 162. *Provisions of statute de powers of health officers held constitutional.* 51 C. 99-101.

officer, except when appointed to fill a vacancy, shall hold his office for four years from and after the first Monday of October and until his successor is appointed and sworn, unless sooner removed.

1893, ch. 248, §8

See §2604.

§ 2522. Reports by town health officers. The town health officer shall annually, on the first of September, make report of his doings to the town in which he is appointed which report shall be published with other town reports, and he shall cause duplicates of such report to be filed with the county health officer and with the state board of health. Said town health officer shall be paid by the treasurer of the town in which he has exercised the duties of his office not less than three dollars for each day of actual service, with his necessary expenses, on the approval of his bill by the county health officer.

1893, ch. 248, §9.

§ 2523. Appointment to be filed. All appointments of town health officers shall be filed with the secretary of the state board of health, and each town health officer, before entering upon the duties of his office, shall be sworn to the faithful discharge thereof.

1893, ch. 248, §10.

§ 2524. Removal of town health officer. Any town health officer may be removed from office by the county health officer, and in case a vacancy arises from any cause the county health officer shall appoint some discreet person, learned in medical and sanitary science, for the unexpired term. The county health officer, in case of the absence or inability of a town health officer to act, may designate in writing a suitable person to act as such town health officer; and the person so designated, when sworn, shall have all the powers and be subject to all the duties of a town health officer.

1805,
Rev. 1888, §2592.
1893, ch. 248, §6.
1895, ch. 145, §1.

§ 2525. Duties of town, city, and borough health officers. Town, city, and borough health officers shall, within their several jurisdictions, examine into all nuisances and sources of filth injurious to the public health, cause such nuisances to be abated, and cause to be removed all filth found which, in their judgment, may endanger the health of the inhabitants; and all expenses for the abatement or removal of such nuisance or filth shall be paid by the person who placed it there, if known, and, if not known, by the town, city, or borough, as the case may be. When any such filth or nuisance shall be found on private property such officer shall notify the owner or occupant of such property to remove or abate the same at his expense, within such time as the officer shall direct, and, if he shall neglect to remove it, he shall be fined not more than one hundred dollars and pay such expense and costs as shall be incurred by such removal or abatement; any health officer may enter all places within his jurisdiction where there is just cause to suspect any nuisances or sources of filth to exist.

1895, ch. 162.

§ 2526. Nuisances arising from swampy lands. When there shall exist upon any premises swampy or wet places, or depressions, in which a foul and unhealthy condition permanently exists, arising from natural causes, the health officer of the town, and the health committee, health officer, or board of health of any city or borough, in which such places or depressions exist, upon the

§ 2525. Towns not liable for acts of health officer, acting in good faith, and doing no unnecessary damage. 51 C. 93-102. No distinction between nuisances and filth as to power of health officer. 51 C. 98, 99. Health officer is not liable for error of judgment when acting in good faith. 51 C. 93-102. Filth and nuisances may be removed although not endangering health at time of removal. 51 C. 102.

written complaint of any person, and upon finding that such places or depressions are a source of danger to the public health, may cause such places or depressions to be filled with suitable material, or drained; when caused to be done in any town outside the limits of a city or borough it shall be under the direction of the selectmen of said town, and the expenses incurred thereby shall be paid by the treasurer of the town upon the orders of the selectmen; and when caused to be done within the limits of any city or borough the expense thereof shall be borne by said city or borough; *provided*, that any resident or taxpayer of said town, city, or borough may appeal from such order of any health officer, health committee, or board of health, in the manner provided in § 2533, and *provided* that such health officer, health committee, or board of health, shall not cause to be expended in any year under the provisions of this section a sum in excess of three hundred dollars, unless expressly authorized by such town, city, or borough to expend a greater amount. If the owner of said premises, or his agent in charge thereof, shall have been notified in writing by said health officer, health committee, or board of health, to cause said places to be filled in or drained and shall have refused or neglected to do so, said owner of such premises filled in or drained under the provisions of this section shall pay to the community performing such work the benefits accruing to him therefrom, to be determined in the same manner as benefits are assessed in the layout of streets and highways.

§ 2527. Unloading and transportation of fertilizers. Unless otherwise provided town, city, and borough health officers shall have power to determine the time during and the manner in which manure and other fertilizers may be unloaded from vessels or cars and transported upon the highways in their several jurisdictions; and such health officers may make orders and regulations controlling the same.

1889, ch. 155.
1893, ch. 248, §12.
1897, ch. 71.

§ 2528. Jurisdiction over streams for health purposes. The health officer of a town, city, or borough, contiguous to any stream or body of water which is not wholly within the limits of said town, city, or borough, shall have jurisdiction over such stream or body of water and the islands situated therein.

1889, ch. 175.
1893, ch. 248, §12.

§ 2529. Regulations of health officer. No regulation adopted by a town health officer shall be valid until it has been approved by the state board of health upon hearing, after notice given by said board to one of the selectmen of the town and to the town health officer of the time and place of such hearing.

1901, ch. 125, §2.

§ 2530. Notice of regulations. Penalty. It shall be sufficient notice of any regulation of the health officer of any town or borough if it be printed in a newspaper published in the town or borough, if there be one, or posted for three days on each signpost in said town or borough, if no newspaper is published therein. Said regulations, with an indorsement thereon, signed by such health officer, that they have been published or posted as required by law, and in case of regulations of town health officers with the certificate signed by the secretary of the state board of health that they have been approved by said board, shall be recorded in the land records of said town or the records of said borough, as the case may be, and shall remain in force until altered or repealed in the manner prescribed for making regulations. A certified copy

1874, 1882.
Rev. 1888, §2593.
1895, ch. 164.
1897, ch. 71.
1901, ch. 125.

of such board shall be *prima facie* evidence that such regulations have been legally adopted. Every person violating any regulation of a town or borough health officer shall be fined not more than one hundred dollars.

1895, ch. 145.
1897, ch. 242.

§ 2531. Appointment of city and borough health officers. The mayor of every city and the warden of every borough shall, unless the charter of such city or borough otherwise provides for the appointment of a health officer, nominate some discreet person, learned in medical and sanitary science, to be health officer for such city or borough, which nomination shall be confirmed or rejected by the common council of such city or by the burgesses of such borough within thirty days thereafter. Such health officer shall have and exercise within the limits of the city or borough for which he is appointed all powers necessary and proper for preserving the public health and preventing the spread of diseases therein. In case a vacancy exists for thirty days in the office of such health officer the county health officer for the county in which such city or borough is situated shall appoint a health officer for such city or borough. The county health officer may, for cause, remove an officer by him appointed. The compensation of such health officer may be fixed by said common council or burgesses, but if not so fixed shall not be less than three dollars for each day of actual service with his necessary expenses.

1895, ch. 145, § 4.
1897, ch. 242.

See § 2604.

§ 2532. Term of office; reports. The health officer of every city or borough appointed under the provisions of § 2531 shall hold office for the term of four years from and after the date of his appointment. He shall annually, on the first of September, file with the state board of health and with the county health officer a report of his doings as such officer for the year preceding. The health officer of every town, city, and borough shall, on or before the eighth day of each month, make a report to the state board of health of all contagious diseases reported to him during the month preceding.

1893, ch. 248, § 11.
1895, ch. 145, § 1.

§ 2533. Appeals from health officers' order. Any person aggrieved by an order issued by a town, city, or borough health officer may, within forty-eight hours after the making of such order, appeal to the county health officer, who shall thereupon immediately notify the authority from whose order the appeal is taken, and examine into the merits of such case, and may vacate, modify, or affirm such order; and said county health officer in case any such order, or a law of this state, or a by-law or ordinance of any city, town, or borough, concerning the public health or the prevention of nuisances injurious to the public health or relating to the registration of vital statistics, be violated, may commence and prosecute to effect in a court of competent jurisdiction an action in the name of the state to restrain any person from the violation of any such order, law, by-law, or ordinance.

1897, ch. 146.

§ 2534. Report of contagious diseases by physicians. Every physician shall report in writing every case of cholera, yellow fever, typhus fever, leprosy, smallpox, diphtheria, membranous croup, typhoid fever, scarlet fever, or other contagious or infectious disease, except those of a venereal nature, occurring in his practice, to the health officer of the town, city, or borough, in

§ 2531. The purpose of this section is to insure the appointment of a single health officer in every city and borough, and to that extent it repeals charter provisions conflicting therewith. *Bra-man v. New London.* 74 C. —.

which such case occurs, within twelve hours after his recognition of the disease. Every person who shall violate any provision of this section shall be fined not more than twenty-five dollars.

§ 2535. Infants having diseased eyes to be reported. Should one or both eyes of an infant become inflamed or swollen, or reddened at any time within two weeks after its birth, the midwife, nurse, or attendant having charge of such infant, shall report in writing, within six hours, to the health officer or board of health of the city, town, or borough in which the parents of the infant reside, the fact that such inflammation, swelling, or redness of the eyes exists. Every person violating the provisions of this section shall be fined not more than two hundred dollars.

1895, ch. 77.

§ 2536. Quarantine regulations for vessels. The health officer of a town, city, or borough, or the board of health of a city or borough, contiguous to navigable waters may assign, within the limits of such town, city, or borough or the waters contiguous thereto, the port or place in any harbor, road, river, or bay, where vessels coming within such limits shall, if need be, perform quarantine. Every vessel which shall come from any foreign port or place, or between the first of June and the first of November from any port or place in the United States south of the capes of Delaware bay or in the British provinces, and come to anchor in any such harbor, road, bay, river, or contiguous waters, if any place for quarantine shall have been assigned as aforesaid, shall come to anchor and lie at such place so assigned, and at no other place, until discharged in the manner hereinafter provided. The master of every vessel coming to anchor as aforesaid shall forthwith make signal for a health officer by hoisting colors in the shrouds or, if need be, may send a person on shore who shall notify immediately the health officer of the port, or, if there be no health officer, a member of the board of health, of the arrival of such vessel, and forthwith return on board. The provisions of this section shall not apply to a vessel which shall have entered any port or place north of said capes where there are quarantine regulations and been visited by a health officer, received a clean bill of health, and been permitted to go, and has actually gone to the wharves and unloaded thereat; and such clean bill of health or a certified copy thereof shall be left with or filed at the office of the health officer or board of health having jurisdiction over said port within twenty-four hours after the arrival of such vessel.

1805.
Rev. 1888, §2594.
1889, ch. 175.
1893, ch. 248, §§6,
12.
1895, ch. 101, §1.

§ 2537. Quarantine of vessels from certain ports. When the health authority of any town, city, or borough, shall deem it expedient that vessels arriving in such town, city, or borough, or in the waters contiguous thereto, from any port or place in the United States north of the capes of Delaware bay, should perform quarantine, such health authority may by an order, duly published or posted, subject such vessels to quarantine in the same manner as if they arrived from a foreign port or place.

Rev. 1875, p. 259.
Rev. 1888, §2595.
1893, ch. 248, §§6,
12.

§ 2538. Quarantine in New Haven harbor. Every vessel subject to quarantine, arriving in the harbor of New Haven, on board of which there shall be no sickness at the time of such arrival, or on board of which during the passage there shall have been no case of malignant or contagious disease, may come to and make fast at the end of any public wharf in said harbor, without incurring any

1848, 1850.
Rev. 1888, §2596.
1895, ch. 101, §2.

penalty for violation of the quarantine laws; but no person shall be allowed to leave said vessel except to make fast to the wharf until said vessel shall have been visited by a health officer and by him discharged from quarantine. If the health officer on visiting any such vessel shall find such sickness on board as, in his opinion, shall make it proper for him to cause such vessel to continue subject to quarantine, he shall order it to be removed to such place as shall be assigned as a place of quarantine. This section shall not apply to any vessels coming from any foreign port other than a port in the Dominion of Canada or Newfoundland.

1848, 1850.
Rev. 1888, §2597.
1893, ch.248, §§6,
12.

§ 2539. Vessel visited by health officer. On notice given to a health officer or member of the board of health of the arrival of any vessel as aforesaid, he shall visit it without delay, and may, on examination, give a certificate of health, discharging it from quarantine, or cause it to continue subject to quarantine; every vessel so subjected to quarantine shall perform quarantine under the regulations of such health officer or board of health.

1848, 1850.
Rev. 1888, §2598.
1893, ch.248, §§6,
12.

§ 2540. Fees for visiting vessel. The health officer or board of health may establish the fees, not exceeding five dollars, which the health officer shall be entitled to receive for visiting a vessel as aforesaid, and the master or owner of such vessel shall pay the same to such health officer or board of health.

1848, 1850.
Rev. 1888, §2599.

§ 2541. Fraudulently eluding quarantine. No master of any vessel liable to perform quarantine as aforesaid shall fraudulently attempt to elude a quarantine by false declarations of the port or place from whence he came, or land, or suffer to be landed from his vessel any person or thing except in the manner above provided, nor permit any person to board such vessel, before it shall have been visited as aforesaid.

1895, ch.101, §§3,
4.

§ 2542. Quarantine of vessels having sickness on board. Every vessel, from any port or place, having sickness on board shall be subject to inspection and quarantine before making fast to any wharf. Every master of a tugboat who shall violate, or assist any other person to violate, the quarantine regulations of a port shall be fined not more than one hundred dollars, or imprisoned not more than three months, or both.

1848, 1850.
Rev. 1888, §2600.
1893, ch.248, §§6,
12.

§ 2543. Vessel ordered to be cleansed. When a health officer or a member of the board of health shall on visiting any vessel as aforesaid think it necessary that it should be cleansed or purified, he shall direct its master to hoist a white flag on the head of the mainmast, there to be kept during the day-time, and shall without delay direct the time and manner in which the cargo on board such vessel shall be in part or in whole cleansed or purified, and such vessel, or such part thereof as may be infected, shall be cleansed in such method as shall be directed. When such vessel shall contain any person ill of a contagious or infectious disease he shall be removed on shore to such place as said health officer or board may direct and shall be nursed and provided for in the manner prescribed by law. Such health officer or board may cause any passenger, and such of the mariners as the master shall not require to continue on board, to be removed on shore and secluded for fourteen days in such place as the health officer or board shall direct; and if any person shall, without permission, visit any person so confined, he shall be deemed to be contaminated

with infection and be liable to the same confinement and penalty as are imposed upon the person visited.

§ 2544. Certificate of health fraudulently obtained. If the health officer or board of health shall find that any certificate of health granted by them was obtained by fraud or false representation, or be of opinion that any vessel, person, or cargo should perform further quarantine for the purpose of being cleansed or purified, on notice thereof being given to such person, or the owner, master, supercargo, or consignee of such vessel or cargo, as the case may be, the same shall in all respects be liable to be proceeded with as if no certificate of health had been given.

1848, 1850.
Rev. 1888, §2601.
1893, ch. 248, §§6,
12. §

§ 2545. Prohibiting communication between towns. The health authority of a town, city, or borough may inderdict communication between it and any town or place in which a contagious or malignant disease is prevalent.

1848, 1850.
Rev. 1888, §2602.
1893, ch. 248, §§6,
12.

§ 2546. Notice of contagious diseases in hotel. Every hotel or lodging-house keeper, in whose house any lodger becomes sick of any malignant or contagious disease, shall within twelve hours after such lodger becomes sick report in writing to the board of health or health officer the name of such person if known and the nature of his disease.

1848, 1850.
Rev. 1888, §2603.
1893, ch. 248, §§6,
12.
1895, ch. 145, §1.
1897, ch. 242, §3.

§ 2547. Enforcement of orders of health authorities. When any person shall refuse to obey a legal order given by a health officer, health committee, or board of health, or shall endeavor to prevent it from being carried into effect, a justice of the peace may issue his warrant to a proper officer, or to an indifferent person, therein stating such order and requiring him to carry it into effect, and such officer or indifferent person shall execute the same.

1848.
Rev. 1888, §2604.
1893, ch. 248, §§6,
12.
1895, ch. 145, §1.

§ 2548. Disposition of fines and penalties. All fines imposed for the violation of any provision of this chapter, or any regulation of a health officer or board of health, shall be paid to the town, city, or borough in which the offense is committed.

1848.
Rev. 1888, §2605.
1893, ch. 248, §§6,
12.

§ 2549. Quarantine of persons infected with contagious disease. Any town, city, or borough, health officer, or the board of health of a city or borough, may order any person, whom they have reasonable grounds to believe to be infected with any malignant, infectious, or contagious disease, into confinement in a place to be designated by them, there to remain so long as said health officer or board shall judge necessary.

1760, 1874.
Rev. 1888, §2606.
1893, ch. 248, §§6,
12.
1895, ch. 145, §1.

§ 2550. Vaccination. Health officers and boards of health may adopt such measures for the general vaccination of the inhabitants of their respective towns, cities, or boroughs as they shall deem proper and necessary to prevent the introduction or arrest the progress of smallpox, and the expenses in whole or in part of such general vaccination shall upon their order be paid out of the town, city, or borough treasury, as the case may be.

1828.
Rev. 1888, §2607.
1893, ch. 248, §§6,
12.
1895, ch. 145, §1.

§ 2551. Refusal to be vaccinated; penalty. Every person who shall refuse to be vaccinated, or prevent a person under his care and control from

1828.
Rev. 1888, §2608.
1893, ch. 248, §§6,
12.
1895, ch. 145, §1.

§ 2550. *De powers of health officer to prevent spread of smallpox.* 42 C. 162. Health officers may adopt suitable measures of prevention, although no case of disease has appeared. 65 C. 189.

being vaccinated, on application being made by the health officer or board of health or by a physician employed by the health officer or board of health for that purpose, unless in the opinion of another physician it would not be prudent on account of sickness, shall be fined not more than five dollars.

1882.
Rev. 1888, §2609.
1893, ch. 248, §§6,
12.
1895 ch. 145, §1.

§ 2552. Violation of orders of health authority. Every person who shall violate any provision of this chapter, or any legal order of a health officer or board of health, for which no other penalty is provided, shall be fined not more than five hundred dollars, or imprisoned not more than six months, or both.

CHAPTER 152.

Boarding of Infants.

1887.
Rev. 1888, §2610.

§ 2553. Persons boarding infants to notify selectmen. Every person who shall make a business of taking children under ten years of age, other than members of such person's family, to entertain or board, in any number exceeding two in the same house at the same time, shall within three days after the reception, removal, or death of any such child give written notice thereof to the selectmen of the town within which such house is situated, specifying the name and age of such child, the place of residence of the parties so undertaking its care, and the birthplace and parentage of said child if known.

1887.
Rev. 1888, §2611.

§ 2554. Premises to be inspected by selectmen. Said selectmen, or some proper person appointed by them, shall visit and inspect such premises as often as once in each month, and within one week after such visit make a written report containing a statement of the number of such children in said house, the number received and removed since the last visit, the number of deaths and the causes thereof, and the condition of the premises and of the children; which report shall be kept on file in the office of the town clerk of said town.

1887.
Rev. 1888, §2612.

§ 2555. Premises to be open to inspection. Such house or premises shall at all hours during the day and before nine o'clock in the evening be open to inspection by any officer or agent of the state board of health, of the state board of charities, or of the Connecticut humane society; *provided*, that such inspection be made in company with a selectman of the town in which such house is located, or with some other proper person appointed by the selectmen of such town, the court of probate for the district where said house is located, or by the judge of any city, borough, or district court having jurisdiction in said town or probate district over children that may be committed to a county temporary home. Such authorized visitors may direct and enforce such suitable measures respecting such children and premises as they may deem proper.

1887.
Rev. 1888, §2613.

§ 2556. Penalty. Every person violating any provision of §§ 2553, or 2555, or refusing admission to any of the persons specified in § 2555, shall be fined not more than five hundred dollars, or imprisoned not more than one year, or both.

CHAPTER 153.

Adulteration of Food.

§ 2557. Definition of imitation butter. Any article resembling butter in appearance and not made wholly, salt and coloring excepted, from the milk of cows, shall be imitation butter within the meaning of this chapter. The words "butter," "dairy," or "creamery" shall form neither the whole nor a part of the name of any imitation butter, nor shall it appear upon any imitation butter, nor upon any box, tin, or package containing imitation butter.

1886.
Rev. 1888, §2614.
1893, ch. 114, §1.

§ 2558. Sale of imitation butter regulated. No person by himself his agents or servants shall render or manufacture, sell, offer, or expose for sale, take orders for the future delivery of, or have in his possession with intent to sell, any article, product, or compound, made wholly or partly out of any fat, oil, or oleaginous substance or compound thereof, not produced from unadulterated milk or cream from the same, which shall be in imitation of yellow butter produced from pure unadulterated milk or cream of the same; but this section shall not prohibit the manufacture or sale of oleomargarine in a separate and distinct form and in such manner as will advise the consumer of its real character, free from coloration and from any ingredient that causes it to look like butter. No imitation butter shall be sold, exposed for sale, or delivered except under the following conditions: (1), the seller shall maintain in plain sight, over the main outer entrance of the premises where the selling is done, a sign bearing in plain black Roman letters, not less than two inches wide and four inches long, on a white ground, the words "sold here," preceded by the name of the imitation article. If the selling is done from a vehicle such vehicle shall conspicuously bear upon its outside on both sides of said vehicle such a sign. If the delivering is done from a vehicle, such vehicle shall conspicuously bear upon its outside on both sides of said vehicle a sign bearing in plain black Roman letters, not less than two inches wide and four inches long, on a white ground, the words "delivered here," preceded by the name of the imitation article; (2). all imitation butter shall be kept in an inclosing package which shall bear on the outside of its body and cover, at all times in plain sight of a beholder of the package, in black Roman letters, not less than one inch wide and two inches long, on a white or light colored ground, the name of the imitation article; (3). the seller shall orally inform each buyer at each sale that the article he buys is not butter, and shall give the buyer the name of the imitation article; (4), every person, copartnership, or corporation, selling or offering for sale imitation butter, and every keeper of a hotel, boarding house, or restaurant, temporary or permanent, who shall furnish a guest with imitation butter, or food containing it, shall within fifteen days after commencing said business, and annually on the first of May, or within fifteen days thereafter, register in a book kept by the dairy commissioner for that purpose, the name, and the town, street, and number of street of the place of business of said person, copartnership, corporation, keeper of hotel, boarding house, or restaurant. All signs prescribed in §§ 2558, 2559, and 2560 shall be provided by the dairy commissioner, and all signs required to be maintained in plain sight over the main outer entrance of

1886, 1887.
Rev. 1888, §2615.
1893, ch. 114, §2.
1895, ch. 32.

the premises where the selling is done shall be placed in position subject to the directions of the dairy commissioner or his deputy. All signs so furnished by the dairy commissioner shall be paid for by the parties receiving the same, at the actual cost thereof.

1886, 1887.
Rev. 1888, §2616.
1893, ch. 114, §2.

§ 2559. Vendor must expose sign. No baker or vendor of food shall sell or expose for sale any article of food containing imitation butter unless such baker or vendor shall maintain the kind of a sign as hereinbefore prescribed, in the way and manner prescribed in that connection, except that the word "used" shall be substituted for the word "sold." If the selling be done from a vehicle such vehicle shall conspicuously bear such sign.

1886.
Rev. 1888, §2617.
1893, ch. 114, §2.

§ 2560. Hotel keeper must expose sign. No keeper of a hotel, boarding house, or restaurant, temporary or permanent, shall furnish a guest with imitation butter or food containing it, unless such keeper shall maintain in plain sight of all guests sitting at tables where food is served such a sign or signs as hereinbefore prescribed, except that the word "used" shall be substituted for the word "sold."

1897, ch. 145.

§ 2561. Sale of tub butter regulated. No person by himself, his agents, or his servants, shall sell, offer for sale, or have in his possession with intent to sell, butter known as "tub butter" which is pressed or printed into what is known as bricks, pats, or balls, except under the following conditions: every such brick, pat, or ball, shall have the words "tub butter" in one-half inch Roman letters, stamped or pressed upon it, and, if wrapped, the wrapper shall be marked in like manner. Every person violating any provision of this section shall be fined not more than one hundred dollars.

1883.
Rev. 1888, §2619.
1893, ch. 114, §2.

§ 2562. Penalties. Every person violating any provision of §§ 2557, 2558, or 2559, and every person, except a boarding-house keeper, violating § 2560 shall, for the first offense, be fined not more than one hundred dollars, or imprisoned not more than sixty days, or both; for each subsequent offense, he shall be fined not more than two hundred dollars or imprisoned not more than four months, or both. Every boarding-house keeper violating § 2560 shall, for the first offense, be fined twenty-five dollars, or imprisoned not more than thirty days, or both; for each subsequent offense he shall be fined not more than fifty dollars or imprisoned not more than sixty days, or both. Evidence of any violation shall be *prima facie* evidence of wilful violation.

1887.
Rev. 1888, §2622.
1889, ch. 238.

§ 2563. Adulteration of molasses. Any person who shall adulterate molasses, or who shall sell or offer or expose for sale, or who shall solicit or receive an order for the sale or delivery within this state or for delivery without this state for shipment into this state, of any molasses adulterated with salts of tin, terra-alba, glucose, dextrose, starch, sugar, corn syrup, or other preparation of or from starch, shall be fined not more than five hundred dollars, or imprisoned not more than one year, or both. The delivery of any of the above-mentioned preparations, upon an order solicited or received within this state, shall be conclusive evidence that the order, upon which such delivery was made, was for such articles and shall render the person soliciting or receiving such order liable to the penalty above prescribed.

§ 2564. Sale of impure vinegar forbidden. No person shall make, sell, offer, or expose for sale or exchange, solicit, or receive any order for the sale or delivery within this state, or for delivery without this state for shipment into this state, of: (1), any vinegar, as cider vinegar, not wholly produced from the juice of apples; (2), any vinegar or article sold or to be sold as vinegar, to which has been added any drug, or any hurtful or foreign substance, or any coloring matter, or any acid; or, (3), any vinegar not having an acetic acidity equivalent to the presence therein of not less than four per cent. by weight of absolute acetic acid, and in case of cider vinegar, not less than two per cent. by weight of cider vinegar solids upon full evaporation over boiling water. Every person violating any provision of this section shall be fined not more than fifty dollars for a first offense, and for a later offense not more than one hundred dollars or be imprisoned thirty days, or both. The delivery of any of the above-mentioned articles upon an order solicited or received within this state shall be conclusive evidence that the order upon which such delivery was made was for such articles.

1889, ch. 60.
1889, ch. 234.
1897, ch. 67.

§ 2565. Sale of vinegar regulated. No person shall make and sell, or make and offer for sale, any vinegar without conspicuously branding, stenciling, or painting, upon the head of the barrel, cask, keg, or package containing the same, the name of the maker, his residence, place of manufacture, and the true name of the kind of vinegar contained therein as "cider vinegar," "wine vinegar," "malt vinegar," or "wood acid vinegar"; *provided*, that this section shall not apply to retail sales, at the place of manufacture, in quantities of less than five gallons, and in open packages. Every person violating any provision of this section shall be fined not more than fifty dollars for a first offense, and, for each subsequent offense, not more than one hundred dollars.

1889, ch. 60.
1897, ch. 67.

§ 2566. Powers and duties of dairy commissioner. The governor shall appoint a citizen of the state as a dairy commissioner, who shall hold office for two years from and after the first of May succeeding his appointment, and until his successor is appointed, unless sooner removed by the governor for cause. The governor may fill a vacancy in the office. The dairy commissioner shall attend to the enforcement of the preceding sections of this chapter. A room in the capitol shall be set apart for the dairy commissioner. He may appoint and remove a deputy, who may also act as clerk and who, under the direction of the dairy commissioner, shall have all the powers of the commissioner. The dairy commissioner and his deputy shall have free access, at all reasonable hours, for the purpose of examining into any suspected violation of the preceding sections of this chapter, to all places and premises (apartments of private families keeping no boarders excepted), where the dairy commissioner or his deputy suspects imitation butter to be made, sold, used, kept, or stored in transit, or where it is suspected that the provisions of the law relating to adulterated molasses or imitation vinegar, or the manufacture or sale thereof, are being violated. The agents of railroads and express companies having knowledge or record of any consignment of imitation butter shall inform the commissioner or his deputy of such consignment and the name of the consignee when requested by said commissioner or his deputy. On the tender of the market price of good butter, good vinegar, or good molasses,

1886, 1887.
Rev. 1888.
§§2618, 2620,
2621
1889, ch. 60, §§3,
4.
1889, ch. 234, §2.
1889, ch. 238.
1893, ch. 70.
1893, ch. 114, §§2,
3.
1897, ch. 145.
1897, ch. 171.

the commissioner or his deputy may take from any person, firm, or corporation, samples of any articles suspected to be imitation butter, tub butter, vinegar or molasses, which he suspects are sold, offered for sale, kept with intent to sell, made, or manufactured, contrary to any provision of this chapter; he may himself analyze such samples, or have such samples analyzed by a state chemist or by an experiment station, and a sworn or affirmed certificate by such analyst shall be *prima facie* evidence of the ingredients and constituents of the sample analyzed; and if such analysis shall show that such sample does not conform to the requirements of law, and shall give the dairy commissioner reasonable ground for belief that any provision of this chapter has been violated, he shall cause such violator to be prosecuted. The dairy commissioner shall make an annual report to the governor.

1886, 1887.
Rev. 1888,
§§2618, 2621.
1889, ch. 80, §5.
1889, ch. 234, §2.
1893, ch. 70.
1897, ch. 145, §1.

§ 2567. Obstructing dairy commissioner; penalty. Every person refusing the dairy commissioner reasonable access for said purpose of examination, or refusing to sell samples as provided in § 2566, shall be fined not more than seven dollars, or imprisoned not more than thirty days, or both. Evidence of any violation of this section shall be *prima facie* evidence of wilful violation.

1895, ch. 183.

§ 2568. Adulteration of candy. Every person who shall adulterate candy with terra alba, barytes, talc, or any material substance, or with poisonous colors or flavors, or knowingly sell or offer for sale candy so adulterated, shall be fined not more than one hundred dollars.

1897, ch. 174.
1899, ch. 140.
1901, ch. 83, §§1-6.

§ 2569. Sanitary condition of bake shop. Every building or room occupied as a bakery shall be drained and plumbed in a manner conducive to its healthful and sanitary condition, and constructed with air shafts and windows or ventilating pipes sufficient to insure ventilation, as the factory inspector shall direct; no cellar or basement not used as a bakery on the first of August, 1901, shall be used as such, and no cellar, occupied as a bakery on or before said date, when once closed, shall be again opened for such use. Every bakery shall be provided with a wash-room and water-closet apart from the bake room and rooms where the manufacturing of such food products is conducted; no water-closet, earth-closet, privy, or ash pit, shall be within or communicate directly with a bake shop. Rooms used for the manufacture of flour or meal food shall be at least eight feet in height; the side walls of such rooms shall be plastered or wainscoted, the ceiling plastered or ceiled with lumber or metal, and, if required by the factory inspector, shall be whitewashed at least once in three months; the furniture, utensils, and floor of such room shall be kept in healthful sanitary condition. The manufactured flour or meal food products shall be kept in dry, clean, and airy, rooms. The sleeping places for persons employed in a bakery shall be separate from the rooms where food products are manufactured or stored. After inspection the factory inspector may issue a certificate to the owner or operator of such bakery, that it is conducted in compliance with the provisions of law; but where orders are issued by said inspector to improve the condition of a bakery no such certificate shall be issued until such orders shall have been complied with.

1901, ch. 83, §9.

§ 2570. Duty of employer. No employer shall permit any person to work in his bake shop who is affected with pulmonary tuberculosis, scrofulous,

or venereal disease, or with a communicable skin affection, and every employer shall maintain himself and his employees in a clean and sanitary condition while engaged in the manufacture, handling, or sale of such food products.

§ 2571. Factory inspector's orders. The owner, agent, or lessee of any property used as a bakery shall, within thirty days after the service of notice upon him of an order issued by the factory inspector, comply therewith, or cease to use or allow the use of such premises as a bake shop; such notice shall be in writing and may be served upon such owner, agent, or lessee, either personally or by mail, and a notice by registered letter, mailed to the last known address of such owner, agent, or lessee, shall be sufficient service. 1897, ch. 174.
1899, ch. 140.
1901, ch. 83, §7.

§ 2572. Penalty. Every person who violates any provision of §§ 2569, 2570 or 2571, or who fails to comply with an order of the factory inspector, shall be fined not more than fifty dollars for the first offense, not more than one hundred dollars or imprisoned not more than ten days for the second offense, and not more than two hundred dollars and imprisoned not more than thirty days for each subsequent offense. 1901, ch. 83, §§.

§ 2573. Food misbranded or adulterated. No person or corporation shall manufacture for sale, sell, offer or expose for sale, or have in his possession to sell, any article of food which is adulterated or misbranded. The term food, in this section, shall include every article used for food or drink by man, horses, or cattle. Misbranded food shall include every article of food and every article which enters into the composition of food, the package or label of which shall bear any statement purporting to name any ingredient or substance as not being contained in such article, which statement shall be untrue in any particular; or any statement purporting to name the substance or substances of which such article is made, which statement shall not give fully the names of all substances contained in such article in any measurable quantity. 1895, ch. 235, §31.
2.

§ 2574. Adulterated food; term defined. In the following cases an article shall be deemed adulterated: (1), if any substance or substances be mixed or packed with it so as to reduce, lower, or injuriously affect its quality or strength; (2), if any inferior substance or substances be substituted wholly or in part for the article; (3), if any valuable constituent of the article has been wholly or in part abstracted; (4), if it be an imitation of or sold under the name of another article; (5), if it is so colored, coated, polished, or powdered that damage is concealed, or if it is made to appear better or of greater value than it is; (6), if it contain poisonous ingredients which may render such article injurious to the health of a party consuming it, or if it contain any anti-septic or preservative not evident and not known to the purchaser or consumer; (7), if it consists, in whole or in part, of a diseased, filthy, decomposed, or putrid substance, either animal or vegetable, unfit for food, whether manufactured or not, or if it is in any part the product of a diseased animal, or of any animal that has died otherwise than by slaughter; *provided* that an article of food product shall not be deemed adulterated or misbranded in the following cases: (a), in the case of mixtures or compounds which may be now or from time to time hereafter known as articles of food under their own distinctive names, and not included in definition fourth of this section; (b), in the case of articles labeled, branded, or tagged, so as to plainly and correctly show that they are mixtures, 1895, ch. 235, §3.

compounds, combinations, or blends; (c), when any matter or ingredient is added to a food because the same is required for the protection or preparation thereof as an article of commerce in a fit state for carriage or consumption, and not fraudulently to increase the bulk, weight, or measure of the food or to conceal the inferior quality thereof; (d), when a food is unavoidably mixed with some extraneous matter in the process of collection or preparation.

1879.
Rev. 1888, §2648.
1895, ch. 235, §§4,
5.
1899, ch. 22.

§ 2575. Analysis of food to be made. The Connecticut agricultural experiment station shall make analyses of food products on sale in this state, or kept in this state for export, suspected of being adulterated. Samples of food products for analysis shall be taken by the agents of the station, or by the dairy commissioner or his deputy, at such times and places and to such an extent as in the judgment of the officers of said experiment station, or of the dairy commissioner, shall seem expedient. The dairy commissioner or his deputy shall have access at all reasonable hours to any place wherein it is suspected that there is kept for sale or export any article of food adulterated with deleterious or foreign ingredients, and said dairy commissioner or his deputy, upon tendering the market price for such article, may take from any person, firm, or corporation, samples of the same. Said experiment station may fix standards of purity, quality, or strength, when such standards are not specified by law. Whenever said experiment station shall find by analysis that adulterated food products have been on sale in this state, or kept in this state for export, it shall forthwith transmit the facts so found to the dairy commissioner who shall make complaint to the proper prosecuting officer, to the end that violators of the law relating to the adulteration of food products shall be prosecuted.

1895, ch. 235, §6.

§ 2576. Report on adulterated food products. Said station shall make an annual report to the governor upon adulterated food products, which shall not exceed one hundred and fifty pages.

1895, ch. 235, §7.

§ 2577. Appropriation. To carry out the provisions of §§ 2575 and 2576, the sum of twenty-five hundred dollars is annually appropriated to said Connecticut agricultural experiment station, which shall be paid in equal quarterly installments to the treasurer of the board of control of said station, upon the order of the comptroller, who shall draw his order for the same.

1895, ch. 235, §§8,
9.

§ 2578. Action not maintainable. Every person who, by himself, his agent, or attorney, with intent that the same may be sold as unadulterated, adulterates any food product for man, horses, or cattle, or knowing that the same has been adulterated, offers for sale or sells the same as unadulterated or without disclosing or informing the purchaser that the same has been adulterated, shall be fined not more than five hundred dollars, or imprisoned not more than one year. No action shall be maintained on account of any sale or other contract made in violation of § 2573.

1879.
Rev. 1888, §2648.
1893, ch. 248, §§6,
12.
1895, ch. 145.

§ 2579. Analysis of food. The local health authorities of the several cities, boroughs, and towns, may procure from any dealer in provisions, groceries, medicines, or other articles of consumption, samples of such articles and cause the same to be analyzed by one of the state chemists, and if on such analysis it shall be found that the article analyzed is adulterated with a deleterious or foreign ingredient, other than is represented verbally and in a conspicuous label by

the seller, the chemist making the analysis shall issue his certificate setting forth the kind and quantity, as near as may be, of deleterious and foreign ingredients found in the article analyzed; and the health officer causing such analysis to be made shall cause said certificate to be published in some paper published in the city, borough, or town, or one nearest thereto where the article analyzed was obtained, for such length of time as he may think proper, and the cost of analysis and the cost of the publication of the certificate shall be paid by the person or firm from whom the article analyzed was obtained; and if such person or firm shall so elect he or they may annex to said certificate an affidavit setting forth from whom the article analyzed was purchased.

§ 2580. Cost of analysis. In each case where an analysis has been made according to the provisions of § 2579 and the article analyzed shall have been found pure and free from foreign ingredients the cost of the analysis shall be paid by the city, borough, or town whose health officer caused such analysis to be made.

1879.
Rev. 1888, §2649.
1893, ch. 248, §86,
12.
1895, ch. 145.

§ 2581. Adulteration of sugar; penalty. Every person who shall adulterate sugar, or who shall knowingly sell, offer, or expose for sale sugar which has been adulterated with salts of tin, terra alba, glucose, dextrose, starch sugar, corn syrup, or other preparation from starch, shall be fined not more than five hundred dollars or imprisoned not more than one year.

1880.
Rev. 1888, §2650.

§ 2582. Adulteration of beer. No person or corporation engaged in brewing or manufacturing ale, beer, or other fermented liquors shall use in the process of brewing or manufacturing poisonous or deleterious drugs or chemicals or any impure or injurious materials or such as are prejudicial to the health of any person brewing or making use of such ale, beer, or other fermented liquors. Every violation of any provision of this section shall be punished by a fine of not more than one thousand dollars, or by imprisonment for not more than one year, or both.

1865, 1882.
Rev. 1888, §3100.
1897, ch. 236, §§1-
3.

§ 2583. Penalty for sale of adulterated beer. Every person who shall sell or expose for sale any ale, beer, or other fermented liquors, knowing the same to be adulterated, or shall adulterate for the purpose of sale any ale, beer, or fermented liquors, shall be fined not more than one thousand dollars, or imprisoned not more than six months.

1865, 1882.
Rev. 1888, §3100.
1895, ch. 331.
1897, ch. 236, §2.

§ 2584. Duties of state board of health. The secretary of the state board of health, or persons designated by the state board of health, may at any reasonable time enter upon the premises of any brewer, or wholesale or retail dealer in ale, beer, or other fermented liquors and secure direct from the vessel or package in which such liquors are contained samples of such liquors. The person securing the sample shall seal the package containing the same in the presence of the retailer, wholesaler, or brewer, or their authorized representative, and shall deliver it to the state chemist with seal unbroken. The state chemist shall analyze all samples thus submitted to him, and if he finds that any contain poisonous or deleterious drugs or chemicals, or impure or injurious materials he shall acquaint the proper prosecuting officer with the facts.

1879.
Rev. 1888, §2648.
1897, ch. 236, §4.

§ 2585. Penalty for adulteration of milk. Whoever shall knowingly sell, supply, or bring to be manufactured to any butter or cheese manufactory

1882.
Rev. 1888, §2658.

in this state, any milk diluted with water, or adulterated by the addition of a foreign substance or from which any cream or milk, commonly known as strippings, has been taken, or whoever shall knowingly bring or supply milk that is tainted or partly sour to any butter or cheese manufactory shall be fined not more than one hundred dollars.

1882.
Rev. 1888, §2659.

§ 2586. Proof of adulteration. The usual test for quality and the certificate of analysis of the director of the Connecticut agricultural experiment station shall be deemed *prima facie* proof of adulteration.

1882.
Rev. 1888, §2660.

§ 2587. Skimmed milk how labeled. No person shall sell, offer, or expose for sale milk from which the cream or any part thereof has been removed, without distinctly and durably affixing a label, tag, or mark of metal in a conspicuous place upon the outside, and not more than six inches from the top of every can, vessel, or package, containing such milk, and such metal label, tag, or mark, shall have the words "Skimmed Milk" stamped, printed, or indented thereon in letters not less than one inch in height; and such milk shall only be sold or retailed out of a can, vessel, or package so marked.

1882.
Rev. 1888, §2661.

§ 2588. Impure milk, sale of prohibited. No person shall sell or offer for sale, or shall have in possession with intent to sell or offer for sale, any impure or adulterated milk.

1882.
Rev. 1888, §2662.

§ 2589. Penalties. Every person who shall violate any provision of §§ 2587 or 2588 shall be fined not more than seven dollars, or imprisoned not more than thirty days, or both.

1882.
Rev. 1888, §2663.

§ 2590. Notice to be posted in creameries. A printed notice of this section and of §§ 2585, 2586, 2587, 2588, and 2589 shall be conspicuously posted in all public places, creameries, or factories, where milk is received or sold.

1880.
Rev. 1888, §2664.

§ 2591. Penalty for selling milk of diseased cow. Every person who shall knowingly sell, or expose for sale, milk, or any product of milk, from a cow which shall have been adjudged by the commissioner of domestic animals affected with tuberculosis or other blood disease shall be fined not more than seven dollars, or imprisoned not more than thirty days, or both.

1899, ch. 209.

§ 2592. Appointment of milk inspector. The warden and burgesses of a borough or the mayor with the approval of the common council of a city may appoint a competent person as milk inspector who may personally, or by some competent person appointed by him, inspect all milk sold or offered for sale in such borough or city; may inspect all animals producing such milk, the buildings and places where such animals are kept, the dairy and other places where such milk is kept, handled, sold, or produced, whether the same be within the limits of such borough or city or not; and said burgesses or common council may prohibit the sale of such milk within the limits of such borough or city, except by such persons as shall register their names, residences, and numbers in a book kept for the purpose at the office of the clerk of such borough or city. The clerk shall receive for each name so registered fifteen cents from the treasury of such borough or city. Such inspector or assistant shall have the

§ 2597. As to power of municipalities to enforce ordinances inconsistent with this section. 67 C. 550; 73 C. 407.

right to take samples of milk from any producer or vendor in quantities of not less than one pint, upon tender of the market price therefor, but he shall, if such producer or vendor so request, seal and mark a duplicate sample of such milk and leave the same with such producer or vendor. The warden of any borough or the mayor of any city may for cause remove the inspector.

§ 2593. Pollution of water from which ice is taken. Every person who shall put any substance into waters from which ice is procured for consumption which shall defile, pollute, or injure the quality of said ice, or who shall throw anything into such waters or upon the ice with intent to injure the quality of the ice or obstruct the cutting or gathering of the same, shall be fined not more than thirty dollars, or imprisoned not more than thirty days. This section shall not affect the rights of any manufacturing establishment now existing, or hereafter established, to use any waters in carrying on its business. 1856, 1873, 1878, 1879, .
Rev. 1888, §2651.

§ 2594. Pollution of waters. Every person who shall put or leave a dead animal or carcass in a pond, spring, or reservoir, the water of which is conveyed to any building, or who shall wilfully put and leave in any of the waters of this state a dead animal, shall be fined not more than fifty dollars, or imprisoned not more than thirty days. 1879.
Rev. 1888, §2652.

§ 2595. Penalty for polluting drinking water. Every person who shall put anything into a well, spring, fountain, cistern, or other place from which water is procured for drinking or other purposes, with the intent to injure the quality of said water, shall be fined not more than five hundred dollars, or imprisoned not more than six months. 1876.
Rev. 1888, §2653.

§ 2596. Analysis of water. Town, borough, and city health officers shall, when in their judgment health is menaced or impaired through a water supply, send, subject to the approval of the county health officer, samples of such water to the state board of health for examination and analysis, and the expense of such examination and analysis shall be paid out of the funds appropriated to said board to investigate the pollution of streams. 1899, ch. 229, §1.

§ 2597. Cutting of ice regulated. Every person who shall sell or offer to sell for family, hotel, boarding-house, restaurant, or saloon use, ice cut or taken from a pond, lake, or stream other than a river, into which any sewer empties, or from such part of a river as is below and within two miles of the point where the discharge from any sewer enters such river, or ice cut from a body or stream of water within two hundred feet from where any house drain enters such body or stream of water, or ice cut from any body of water or stream the water or ice from which has been condemned as unfit for use or dangerous to public health by the local health officer of the town, city, or borough where such body of water or stream is located, or ice which has been placed in a yard, building, or cart, with ice taken from any of the foregoing sources, shall be fined fifty dollars, or imprisoned not more than sixty days, or both. Every person aggrieved by an order issued or made by a health officer under the provisions of this section may appeal, within two weeks from the date of such order, in the manner provided for appeals from the orders of town health officers. 1884.
Rev. 1888, §2654.
1893, ch. 248, §11.
1895, ch. 145, §1.
1899, ch. 229, §2.
See §2523.

1884.
Rev. 1888, §2655.

§ 2598. Location of cemeteries. No cemetery or place of sepulture shall hereafter be located or established within one-half mile of any reservoir from which the inhabitants of a town, city, or borough are supplied with water, nor shall such reservoir be located or established within one-half mile of a cemetery or place of sepulture unless the superior court of the county wherein such cemetery or place of sepulture or reservoir is located shall, upon application and notice, find that such cemetery or place of sepulture or such reservoir so proposed to be located is of public convenience and necessity and will not be detrimental to the public health.

1883.
Rev. 1888, §2656.
1895, ch. 203.
1901, ch. 178, §1.

§ 2599. Injunction against injury to water supply. Whenever any land or building is so used, occupied, or suffered to remain, that it is a source of injury to the water stored in a reservoir used for supplying a town, city, or borough with water, or to any source of supply to such reservoir, or when such water is liable to pollution in consequence of the use of the same, either the authorities of such town, city, or borough, or the company having charge of said water, may apply to the superior court in the county in which said town, city, borough, or company is located, for relief; and said court may order the removal of any building, enjoin any use or occupation of any land or building or of said water which is detrimental to said water, or make any other order, temporary or permanent, which in its judgment may be necessary to preserve the purity of said water. Said town, city, borough, or company may, by its officers or agents, duly appointed for such purpose, at all reasonable times, enter upon and inspect any premises within the watershed tributary to such water supply, and, in case any nuisance shall be found thereon which pollutes or is likely to pollute such water, may abate such nuisance at its own expense after reasonable notice to the owner or occupant of said premises, and upon his neglect or refusal to abate the same; but such town, city, borough, or company shall be liable for all unnecessary or unreasonable damage done to said premises.

1883.
Rev. 1888, §2656.
1895, ch. 203.
1901, ch. 178, §§2,
3.

§ 2600. Power to take lands and streams. Any city, town, borough, or corporation authorized by law to supply the inhabitants of any city, town, or borough with pure water for public or domestic use may take and use such lands, springs, streams, or ponds, or such rights or interests therein, as the superior court may on application deem necessary for the purposes of such supply. For the purpose of preserving the purity of such water and preventing any contamination thereof such city, town, borough, or corporation may take such lands or rights as the superior court may, on application, deem necessary therefor. Compensation shall be made to all persons entitled thereto in the manner provided by § 2601.

1883.
Rev. 1888, §2657.
1895, ch. 203, §3.
1901, ch. 178, §3.

§ 2601. Compensation for property taken. In all cases where the law requires compensation to be made to any person whose rights, interests, or property are injuriously affected by said orders, such court shall appoint a committee of three disinterested freeholders of the county who shall determine and award the amount to be paid by such authorities before such order is carried into effect.

§ 2598. Owner of land may use it as a private cemetery aside from question of public health.
58 C. 94-97.

§ 2602. Pollution of reservoirs, penalty. No person, after notice shall have been posted that any reservoir, or any lake, pond, or stream tributary thereto, is used for supplying the inhabitants of a town, city, or borough with water, shall wash any animal, clothing, or other article therein. No person shall throw any noxious or harmful substance into such reservoir, lake, pond, or stream, nor shall any person, after receipt of written notice from any county or town health officer having jurisdiction that the same is detrimental to such water supply, suffer any such substance to be placed upon land owned, occupied, or controlled by him, so that the same may be carried by rains, or freshets, into the water of such reservoir, lake, pond, stream, or drain, or allow to be drained any sewage from said land into such water. Every person who shall violate any provision of this section shall be fined not more than one hundred dollars, or imprisoned not more than thirty days, or both.

1901, ch. 178, §§4, 5, 6.
See §§2594, 2595.

§ 2603. Appointment of special police. The governor may, upon the application of such town, borough, city, or company, commission during his pleasure one or more persons who, having been sworn, may act as policemen for the purpose of preventing and abating nuisances and protecting such water supply from contamination; such policemen shall arrest without previous complaint and warrant any person for any offense under the provisions of any law for the protection of water supplies, when the offender shall be taken or apprehended in the act, or on the speedy information of others; and all persons so arrested shall be immediately presented before proper authority. Every such policeman shall, when on duty, wear in plain view a shield bearing the words "Special Police" and the name of the town, city, borough, or company for which he is commissioned.

1901, ch. 178, §7.

§ 2604. Special reports by town health officer. Every town health officer shall, if requested in writing by any such town, city, borough, or company, report to such town, city, borough, or company in writing every case of cholera or typhoid fever within such portion of his jurisdiction as may be designated in such request, within twelve hours after the same shall come to his knowledge or attention; and such officer shall be paid a reasonable sum for each report by the party making such request.

1901, ch. 178, §8.

§ 2605. Power to make regulations concerning reservoirs. The common council of a city, or the warden and burgesses of a borough, may make, alter, and repeal ordinances to regulate and prevent fishing, trespassing, and all sorts of nuisances in and upon the reservoir property of such city or borough in whatever town said property may be situated. The violations of any such ordinance shall be a misdemeanor, for which the common council, or the warden and burgesses, as the case may be, may impose penalties and forfeitures. All such penalties and forfeitures shall be to the use of the city or borough imposing the same, and may be recovered in either a civil action brought in the name of the city or borough, or a criminal prosecution brought before any court having jurisdiction over the offense, *provided*, that no person shall suffer both a criminal and civil prosecution for one breach of any ordinance.

1871, 1872, 1874.
Rev. 1888, §1540.
1893, ch. 197, §§1, 2.

§ 2606. Protection of reservoir property. The common council of any city or the warden and burgesses of any borough may appoint special con-

1871, 1872, 1874.
Rev. 1888, §1540.
1893, ch. 197, §3.

stables to protect reservoir property and to execute any ordinance passed under the preceding section and the laws of the state and for that purpose such constables shall have all the powers of constables of towns.

CHAPTER 154.

General Provisions.

1865, 1874, 1878.
Rev. 1888, §2623.

§ 2607. Safe exit to be provided for public buildings. In all cities the common council, in all boroughs the warden and burgesses, and in all towns and parts of a town not within the limits of a city or borough the selectmen, shall require that all churches, schoolhouses, and public halls that are used for lectures, amusements, exhibitions, or assemblages of people, shall be provided with ample facilities for safe and speedy entrance and exit in case of necessity, be arranged so as to promote the comfort and safety of persons visiting them, and be closed till such requirements are complied with; and any city, borough, or town may make suitable by-laws regarding the same.

1865, 1874.
Rev. 1888, §2624.

§ 2608. Penalty for failure to close buildings. Every person who shall let or use any such building for such purpose after it shall have been ordered to be so closed shall be fined one hundred dollars.

1865, 1874.
Rev. 1888, §2625.

§ 2609. Order closing building; appeal from. Every person aggrieved by an order directing the closing of such a building may appeal therefrom to a judge of the superior court, who shall, on notice, inquire into the facts by a committee or otherwise, may make such order in the premises as to him may seem proper, and tax costs in favor of the prevailing party and issue execution therefor.

1865, 1874.
Rev. 1888, §2626.

§ 2610. Powers of common councils over buildings. The common council of each city may make ordinances to prevent the erection of unsafe buildings therein; provide for the examination of all plans and specifications of proposed buildings; provide for the inspection of all buildings in process of erection; make general rules regarding the materials to be used in building and the manner of using the same; prohibit the erection of any building not in conformity with such rules or the plans and specifications of which shall not have been examined and approved in accordance with such ordinances; and provide for the appointment of an inspector of buildings.

1874, 1883.
Rev. 1888, §2627.

§ 2611. Inspection and examination of buildings. The selectmen of any town, the common council of any city, and the warden and burgesses of any borough may, and on the written application of any of its inhabitants shall, examine any building or proposed building therein with reference to its safety, after reasonable notice to the owner or builder and occupant, and may make such written order relative to its construction, maintenance, protection, repairs, or removal as they may deem proper; an attested copy of which order shall be left by some proper officer with or at the usual place of abode of such occupant, and such owner or builder if resident in this state.

§ 2612. Owner may appeal from order. Said owner, builder, or occupant, may appeal from such order to the superior court of the county in which said building is, or to a judge of said court in vacation, by a petition, to which shall be annexed a citation to the town, city, or borough, which shall be served within three days after the service of such order, and be returnable within three days after the service of such petition, and upon such petition such court or judge shall appoint three disinterested freeholders to view the premises and report to such court or judge such an order as they may deem expedient in reference thereto, which, being accepted, shall become effectual between the parties to the appeal; and said court or judge may award costs at discretion.

1874, 1883.
Rev. 1888, §2628.

§ 2613. Execution of orders not complied with. If a final order shall not be executed within ten days after its service by copy, or, if made on appeal, within ten days after its acceptance by such court or judge, the selectmen, common council, or warden and burgesses, shall execute it, and the person who failed to comply with it shall pay to the town, city, or borough the expense of its execution, and be fined not more than one thousand dollars.

1874, 1883.
Rev. 1888, §2629.

§ 2614. Regulations concerning elevators. No person, partnership, or corporation shall permit or employ a person under the age of sixteen years to have the care, custody, operation, or management of an elevator. Every person, partnership, or corporation violating any provision of this section shall forfeit not more than twenty-five dollars for each offense.

1893, ch. 59.

§ 2628. Fire escapes to be provided. Every story above the first story of a building used as a schoolhouse, orphan asylum, insane asylum, reformatory, opera house, hall for public assemblies, boarding house accommodating more than twelve persons, or tenement house occupied by more than five families, shall be provided with more than one way of egress, by stairways on the inside or fire escapes on the outside of such building. Said stairways and fire escapes shall, at all times, be kept free from obstruction and shall be accessible from each room in every story above the first story.

1881, 1883.
Rev. 1888, §2645.
1889, ch. 154.
1893, ch. 24, §1.
1895, ch. 254.

§ 2629. Fire escapes in hotels. If any building specified in § 2628, or any workshop, manufactory, hotel, boarding house, tenement house, or other building used, in whole or in part, for any of the purposes there specified, or in which more than twenty persons shall be employed above the first story, shall be more than two stories in height, it shall be provided with at least one fire escape, of iron or other incombustible material, on the outside of said building; unless, in the opinion of the authority inspecting the same, such building is sufficiently supplied with safe and proper means of egress; and if such building shall be more than one hundred and fifty feet in length it shall be provided with one such fire escape for every one hundred and fifty feet, or fractional part thereof exceeding fifty feet, and such fire escapes shall be conveniently accessible from each story of said building.

1881, 1883.
Rev. 1888, §2645.
1889, ch. 154.
1895, ch. 254, §§2
6,
1895, ch. 346.

§ 2630. Penalty. The owner of every such building shall provide such fire escapes and means of egress, or cause the same to be provided, and, if he shall neglect to do so for a period of three months after notice from the building inspector or other proper authority, he shall be fined not more than five hundred dollars, or imprisoned not more than six months, or both.

1881, 1883.
Rev. 1888,
§§2645, 2647.
1889, ch. 154.
1895, ch. 254, §3

1881, 1883.
 Rev. 1888, §2646.
 1889, ch. 154.
 1893, ch. 105.
 1895, ch. 254, §§4.
 6.

§ 2631. Duties of building inspectors. The building inspector of each city, the warden of each borough, or the first selectman of each town not having a building inspector, either by himself or by some proper person appointed by him, shall inspect all the above-named buildings at least once each year between April first and October first, and shall see that the provisions of §§ 2628, 2629, and 2630 are complied with; and for such purpose he shall have the right to enter any of said buildings in the daytime, between the hours of nine and five o'clock. Said city, borough, or town shall fix and pay the compensation for all such services.

1893, ch. 24, §1.
 1895, ch. 254, §5.

§ 2632. Fire escape appliances. Every owner, lessee, proprietor, or manager of a hotel shall cause to be placed a knotted rope or other better appliance, for use as a fire escape, in every room of said hotel used as a lodging room, except rooms on the ground floor; which knotted rope or other better appliance shall be securely fastened to a suitable iron hook or eye to be securely screwed into one of the joists or timbers next adjoining the frame of one of the windows of said room at least five feet from the floor, which rope shall be at all times kept coiled and exposed to the plain view of any occupant of said room; the coil to be fastened in such manner as to be easily and quickly loosened and uncoiled; such rope shall contain knots not more than eighteen inches apart and a loop on the end at least three inches in length, and shall not be less than one-half inch in diameter, and of sufficient length to reach from the window to the ground. Such rope, iron hook or eye, and fastenings shall be of sufficient strength to sustain a weight of four hundred pounds, and there shall be plain printed directions how to use such rope or other better appliance posted within six inches of the hook or eye to which the rope is fastened.

1893, ch. 24, §3.
 1895, ch. 254, §5.

§ 2633. Penalty. Every person violating any provision of § 2632 shall be fined not more than five hundred dollars, or imprisoned not more than six months, or both.

1893, ch. 24, §2.
 1895, ch. 254, §5.

§ 2634. Inspection of hotels. The inspector of buildings of every city, borough, or town, or if there be no such officer, the chief engineer or the officer performing the duty of chief engineer of the fire department, or if there be neither of such officers, then the mayor of a city, the warden of a borough, or the first selectman of every town, in the month of July of each year, shall inspect every room of every hotel, in such city, borough, or town, and shall ascertain if the provisions of § 2632 are complied with, and report the condition of the rope or other better appliance to the common council of such city, the court of burgesses of the borough, or the board of selectmen of the town, as the case may be.

1895, ch. 243.

§ 2635. Refining of oils regulated. No person or corporation shall refine crude or petroleum oils upon the shores of any of the waters of this state, except under such regulations as may be imposed by the selectmen of the town, the common council of the city, or the burgesses of the borough, within the limits of which such business is carried on. Every person or the officers of any corporation failing to comply with such regulations so imposed, after due notice of the adoption of the same, shall be fined not more than fifty dollars for each day of such failure to so comply.

§ 2663. Druggists' licenses and fees. Any druggist regularly licensed by the commissioners of pharmacy may be licensed to use spirituous and intoxicating liquors for compounding prescriptions, and to sell spirituous and intoxicating liquors upon the prescription of any practicing physician, upon the payment of a fee of twelve dollars; but druggists doing business in towns containing less than five thousand inhabitants shall only be required to pay ten dollars for such license; and any druggist regularly licensed by the commissioners of pharmacy as aforesaid may, upon the payment of fifty dollars, be licensed to sell spirituous and intoxicating liquors in quantities not exceeding one gallon, and other than distilled liquors in quantities not exceeding five gallons, and alcohol in quantities less than five gallons; but no license so issued to any such druggist shall authorize the sale or delivery of any spirituous and intoxicating liquors to be drunk on the premises or to be sold otherwise than above specified. Whenever any town shall have voted against the granting of licenses for the sale of spirituous and intoxicating liquors, any druggist regularly licensed by the commissioners of pharmacy and doing business under such license in such town may, upon exhibiting such license and upon the payment of twelve dollars to the county commissioners of the county in which such town is situated, be entitled to receive from said county commissioners a license to sell and deliver spirituous and intoxicating liquors upon the prescription of a practicing physician, and to use the same in compounding medicine; but no druggist so licensed shall sell or deliver such liquor to be drunk on the premises.

1882, 1883.
Rev. 1888, §3064.
1893, ch. 249.
1899, ch. 196. §1.

§ 2664. Only one sale on one prescription. No druggist, licensed to sell spirituous and intoxicating liquors upon the prescription of a practicing physician, and no servant or agent of any such person, shall make more than one sale or delivery of spirituous and intoxicating liquors upon the same prescription.

1887.
Rev. 1888, §3065.

§ 2665. Sale by druggists upon prescription. Penalties. No druggist, licensed to sell spirituous and intoxicating liquors upon the prescription of a practicing physician, and no servant or agent of any such druggist, shall sell or deliver spirituous or intoxicating liquors upon such prescription unless it shall specify the time when and place where it is given, the kind and quantity of liquor prescribed, the name and residence, permanent or temporary, of the person for whom it is prescribed, and that such liquor is needed by such person for medicinal or mechanical uses, and shall be signed with the name written in full by the physician issuing such prescription, who shall be known to such druggist as a reputable practicing physician, residing in this state and who has no pecuniary interest in the sale for which such prescription provides. Such prescription shall not be filled except within three days next after its date. The person making a sale upon any such prescription shall write across the face the number of such prescription, and the date of the sale or delivery thereof, and shall retain and keep such prescription on file in his possession, and shall enter in a book to be kept for that purpose the date of sale, the name of the person to whom such liquor is delivered, and the amount and kind thereof; and such prescription and book shall be open at all reasonable times to the inspection of the selectmen of the town and of the prosecuting agents of the county in which such sale was made; and the entry in said book shall be sufficient evidence of such sale. No physician shall knowingly issue a prescription for spirituous or intoxicating liquors, falsely stating any fact required to be stated as above, and no person shall

1887.
Rev. 1888, §3066.
1889, ch. 199.

procure a prescription for spirituous or intoxicating liquor under the provisions of this section intending that the same shall be used as a beverage.

1886.
Rev. 1888, §3067.
1897, ch. 129.

§ 2666. Application for druggist's license. No license shall be granted to any druggist unless application for the same, signed by the applicant and stating the town and the particular building, naming street and number, if such there be, where the business is to be carried on, and that the business there to be carried on is one in which the applicant is engaged, either as a proprietor or as an employee of the proprietor, has been lodged with the county commissioners at least two weeks prior thereto; and the granting of any such license shall be discretionary with the county commissioners; but no such license shall be granted until the applicant therefor shall have been examined under oath by the county commissioners as to the truth of the matters contained in the application for such license. All statutes allowing persons to file objections to the granting of any license for the sale of spirituous and intoxicating liquors, providing for hearings upon the same, and authorizing the county commissioners to revoke licenses for such sale, shall apply to all licenses to druggists applied for or granted under the provisions of this chapter. Any license granted to any druggist who is not either a proprietor or an employee of the proprietor of the business conducted at the place for which such license is granted shall be void.

1886.
Rev. 1888, §3068.

§ 2667. Provision in druggist's license. All licenses for the sale of spirituous and intoxicating liquors, issued either to druggists or licensed pharmacists, shall contain the following provision, to wit:

This license does not authorize the sale of spirituous and intoxicating liquors to be drunk on the premises.

1893, ch. 125.

§ 2668. Sale by pharmacists on Sunday. Whenever a licensed pharmacist, holding any form of a license to sell spirituous and intoxicating liquors in license towns, sells spirituous and intoxicating liquors on Sunday, he shall conform in all respects to the restrictions and conditions imposed on holders of prescription licenses issued to pharmacists in no-license towns; but he shall not be required to take out an additional or prescription license therefor.

1882.
Rev. 1888, §3091.
1880, ch. 136.

§ 2695. Sales to relatives forbidden after complaint and notice. Whenever any person shall complain to any of the selectmen of any town that his or her father, mother, husband, wife, child, or ward, is addicted to the excessive use of spirituous and intoxicating liquors, and shall request said selectmen, in writing, to notify the licensed dealers in said town not to sell, exchange, or give any spirituous and intoxicating liquors to such father, mother, husband, wife, child, or ward, such selectmen shall, on being satisfied that such complaint is true, forthwith notify, in writing, every licensed dealer in said town that said request has been made, and that the sale, exchange, or gift, of any spirituous or intoxicating liquors to such father, mother, husband, wife, child, or ward, is forbidden by law, and such selectmen shall keep a record of such notification, which may be used as evidence. Such notification shall remain in force so long as such licensed dealer shall continue to be annually licensed for the sale of spirituous and intoxicating liquors; but the selectmen may revoke such notification at any time after one year from the date of its service.

§ 2666. There is no unconstitutional deprivation of property in requiring the owner of a pharmacy license to obtain also a druggist's license before using spirituous liquors in compounding medicines. 61 C. 39.

§ 2696. Sales to minors and others, and loitering, forbidden.1882, 1887.
Rev. 1888, §3092.
1895, ch. 331.

Every licensed person, who by himself, his servant, or agent, shall sell or deliver spirituous and intoxicating liquor to any minor, either for his own use or the use of any other person, or to any intoxicated person, or to any husband, after having received notice from his wife not to sell or deliver such liquor to him, or to any wife, after having received notice from her husband not to sell or deliver such liquor to her, or to any habitual drunkard, knowing him to be such, or to any persons, after having received notice from the selectmen, as provided in § 2695, not to sell, exchange, or give such liquor to such persons, or who shall allow any minor to loiter on his premises where such liquors are kept for sale, shall be subject to the penalties of § 2712.

§ 2697. Licensee to prevent loitering of certain persons.1895, ch. 331.
1897, ch. 150.

Every person licensed to sell spirituous and intoxicating liquors, who, by himself, his servant, or agent, shall permit any person, to whom the sale, gift, or exchange of such spirituous and intoxicating liquor has been forbidden according to statute by the selectmen, either because of the complaint of some relative of such person, or because such person or some member of his legal family had received town aid for support within the time specified by law, to loiter on his premises where such liquors are kept for sale, shall be subject to the penalties of § 2712.

§ 2698. Liquor clubs in no-license towns nuisances.

1889, ch. 127.

When any town has voted or shall hereafter vote against granting licenses for the sale of spirituous and intoxicating liquors, all buildings, apartments, or other places used or occupied by associations, societies, or clubs, where spirituous and intoxicating liquors are sold, distributed, or dispensed to the members thereof or to other persons, shall be deemed common nuisances. Whoever keeps or maintains, or assists in keeping or maintaining a common nuisance as defined by this section, shall, upon conviction thereof, be subject to the penalties of § 2712. Justices of the peace shall have jurisdiction of complaints for violation of this section.

§ 2772. Insane asylums to be licensed.

1897, ch. 215.

No institution for the treatment or detention of insane persons shall be conducted or maintained within this state, except under a license granted by the governor in conformity to the provisions of this section. Any person desiring a license to conduct such an institution shall file with the governor a written application for such license, verified by the applicant's oath, stating the proposed location of such institution, the number of persons for whom accommodations will be provided, the name of the person to be placed in charge, and the previous experience which such person has had in the care and treatment of insane persons. Within twenty days after the filing of such an application, the governor, if satisfied that the location is a suitable one, and that the applicant is a proper person to receive a license, shall issue a license to said applicant to conduct an institution for the treatment and detention of insane persons under the provisions of this section, which license shall specify the location of such institution and the name of the person to have

§ 2696. See notes to § 2636; 51 C. 1. Under act of 1882, delivery to a minor sent by his father to buy for him did not come within the act. 53 C. 407. No defense to allowing minor to loiter that accused believed him of full age. Whether place of loitering is part of the premises where liquors are kept is a question for jury. 57 C. 173. This section applies only to offenses committed after it took effect, and to convictions for such offenses. 67 C. 286.

charge of the same. Every such institution shall be in charge of a physician, registered under the laws of this state, who has had at least three years' experience as medical attendant in some institution for the treatment of insane persons, and he shall reside upon the premises. Whenever the licensee of any such institution shall desire to place in charge of the same a person other than the one specified in the license, application shall be made to the governor in the manner hereinbefore provided for permission to make said change, which application shall be determined within ten days from the date of the filing of the same with the governor. Any license issued under the provisions of this section may be revoked by the governor upon proof that the institution for which such license was issued is being improperly conducted, or for the violation of any of the provisions of this section; *provided, however*, that the licensee shall first be given a reasonable opportunity to be heard in reference to such revocation. Every person to whom a license is issued under the provisions of this section shall pay to the state treasurer the sum of fifty dollars, and shall annually thereafter, on the first day of July, pay to said treasurer the sum of twenty-five dollars. Every person who shall conduct any institution for the treatment or detention of insane persons contrary to the provisions of this section shall be fined not more than one thousand dollars, or imprisoned not more than six months, or both. The provisions of this section shall not apply to any state hospital for the insane.

1883.
Rev. 1888, §3655.
1897, ch. 210.
1899, ch. 69.
1901, ch. 184, §1.

§ 2788. Temporary county home. For what children intended. For the better protection of children between the ages of four and eighteen years, of the classes hereinafter described, to wit: waifs, strays, children in charge of overseers of the poor, children of prisoners, drunkards, or paupers, and others committed to hospitals, almshouses, or workhouses, and all children within said ages, deserted, neglected, cruelly treated, or dependent, or living in any disorderly house, or house reputed to be a house of ill-fame or assignation, there shall be provided in each county one or more places of refuge to be known as temporary homes. No such home shall be located within one-half mile of any penal or pauper institution; and no pauper or convict shall be permitted to live or labor therein. No such home shall be used as a permanent residence for any child, but for its temporary protection, for so long a time only as shall be absolutely necessary for the placing of the child in a well selected family home.

1899, ch. 76.

§ 2789. Certain children not to be committed; their removal. No child demented, idiotic, or suffering from any incurable or contagious disease shall be committed to any such home or allowed to remain therein. If, in the opinion of the board of management of any such home, acting under the advice of the physician employed by it, any child admitted thereto shall come within any of the classes enumerated above, the chairman of the board shall notify the selectmen of the town from which said child was committed, and said selectmen shall have such child removed immediately from said temporary home. A letter deposited in the post-office, postage paid, stating the name of the child and that it is demented, idiotic, or suffering from an incurable or contagious disease, as the case may be, signed by the chairman of said board of management, and directed to the selectmen of the town from which said child was committed, shall be sufficient evidence that notice was given at the time that such letter would in the usual course of the mails reach the selectmen to whom it was directed; and

actual notice in writing sent in any other mode shall be sufficient. This section shall not apply to children who contract any curable contagious disease in the home. If the selectmen of any town shall refuse or neglect for a period of ten days after said notice has been given to remove said child, said chairman may, in the name and behalf of the county wherein such home is located, institute against such selectmen an action of mandamus to compel such selectmen to remove immediately such child from such home; and such selectmen shall forfeit to such county three dollars for each day of neglect after the ten specified, to be recovered by said county in any proper civil action.

§ 2790. Management of temporary homes. In each county the county commissioners thereof, with one member of the state board of charities and one member of the state board of health, shall constitute a board for the location, organization, management, and general supervision of such temporary home or homes in the county. Said board may, with the consent of their managers, use orphan asylums now in operation in any county as temporary homes for that county; and the county commissioners may lease, purchase, hold, sell, and convey real and personal estate for the purposes of such temporary home or homes; and the board may, when desirable for economical reasons, and when consistent with the welfare of the children to be provided for, establish such temporary homes in desirable private families; *provided*, that in no instance shall such home be under the same care or management as an almshouse, workhouse, or penal institution. Said board may appoint such superintendents or agents, and make such rules, regulations, and by-laws as may be necessary or convenient for the order and government of the temporary home and its officers; and it shall appoint a committee of one man or woman in each town of the county, or more than one, in accordance with the population and area of the town, who shall serve without compensation, and who shall have at all times the right to visit and inspect the home or homes of their county, and to suggest to said board such provisions, changes, or additions as they may think desirable; and shall assist said board in the careful selection of family homes for the children in the temporary home or homes, and in the visitation of children when placed in selected families. Children in such families shall be visited by said board, or by its agents, or through said committees, at least once in every three months; and said board may remove any child from the family in which it may be placed to a temporary home, or to another family, to further the purposes of this chapter.

1883.
Rev. 1888, §3656.
1893, ch. 28.

§ 2791. Meetings and powers of managers. Earnings of minors. In each county the board for the management of temporary homes for dependent children shall meet at least once in each three months for the purpose of attending to the duties imposed upon it by law, and notice of such meetings shall be sent to each member by mail at least three days prior thereto by the chairman of said board. At the meeting of said board in each county in the fall months of each year the town committees of the several towns in the county shall meet with said board for the purpose of suggesting such provisions, changes, and additions as they may think desirable in the temporary home, and assisting said board in the selection of family homes for the children in the temporary home, and advising said board of the results of their visits to

1895, ch. 328.

§ 2790. Parent cannot dictate as to religious instruction of child committed to county home. *Habeas corpus denied.* 61 C. 263.

children in family homes; and like notice of said meeting shall be given the town committees at least five days prior thereto by the chairman of said board. Said board in each county shall have full guardianship and control of each child committed to the temporary home for such county until such child shall have reached the age of eighteen years, or such guardianship and control shall have been legally transferred, or another guardian appointed by the probate court with the consent of said board; and said board in each county shall have full power to place any child committed to the temporary home of the county at such employment, and cause the child to be instructed in such branches of useful knowledge as may be suited to the age and capacity of the child for such term of years, not extending beyond the child's seventeenth year, as will inure to the benefit of the child. Parents whose children have been supported by a temporary home for three years shall not be entitled to their earnings or services after they have become eighteen years of age.

1883, 1885,
Rev. 1888, §3657.
1897, chs. 206,
210.

§ 2792. Children not to be in almshouse. Expense of support.

Overseers of the poor shall not place or retain children between the ages of four and eighteen years in almshouses after they shall have been notified by said board that a temporary home in their county is open for such children; and upon such notice they shall cause all such children in almshouses to be removed to such home; *provided*, that if one of the parents of such children, who is a person of good moral character, shall be committed to the almshouse with, and may there care for them, such children may remain with such parent in the almshouse for a period of not more than thirty days in any one year. The necessary expenses of supporting children in temporary homes or in family homes, until they shall reach the age of twelve years for girls and fourteen for boys, shall be paid by the town committing them to the temporary home, said town so paying having a right of action upon this statute for reimbursement from the towns to which said children, if paupers, would be legally chargeable, at not less than one dollar and fifty cents nor more than two dollars weekly per child; but nothing herein shall require payment for the support of children in private families, when in the opinion of said board they may be placed by it in such families to its satisfaction, consistently with the best interests of the child and with the provisions and purposes of this chapter, without such payment. Overseers of the poor may place children in the temporary home for their county upon such terms, as to the time of their stay therein, as may be agreed upon by them with said board. Said board may, in its discretion, permit children to be cared for in the temporary home at the expense of private persons. The placing of children with the lowest auction bidder is prohibited.

1895, ch. 313.
1897, ch. 210.
1899, ch. 69, §2.

§ 2793. Penalty for keeping child in almshouse. Any selectman, overseer of the poor, or town, placing or retaining any child between the ages of four and eighteen years in an almshouse, in violation of § 2792, shall be fined fifty dollars; and each month of such violation shall constitute a separate offense.

1895, ch. 323.
1899, ch. 69, §3.

§ 2794. Placing in county homes of children under four. Children less than four years of age may be placed by overseers of the poor in any county temporary home if its board of management shall consent to receive them, and the expense of their support shall be paid in accordance with § 2792.

§ 2795. Commitments of neglected children to homes. Any court of probate, any city, police, borough, or town court may, upon proceedings instituted in the manner provided for the commitment of children to the industrial or reform schools of the state, or upon the petition of the Connecticut humane society or the state board of charities, commit any child belonging to the classes enumerated in § 2788 to any temporary home that may have been established until such male child shall be sixteen years of age and until such female child shall be eighteen years of age, unless sooner discharged by the board of management of the temporary home in the county in which such child is committed. Said board may place any such child in any private family or in any chartered orphan asylum or children's home in this state wherein such child will be accepted for the period for which such child was committed to such temporary home or for any portion thereof. The authority committing any child shall, within thirty days after such commitment, transmit a certified copy of the items of the costs of such proceedings to the clerk of the superior court for the county in which the trial or hearing was had, and such costs shall be paid as costs are paid in criminal cases coming to the superior court from an inferior court. The expenses for the support of such children so committed shall be paid in the same manner as the expenses for the support of children committed to the Connecticut industrial school for girls and the Connecticut school for boys. No payment shall be made to any asylum or children's home for or on account of any girl after she shall have arrived at the age of sixteen years.

1883, 1885.
Rev. 1888, §3658.
1889, ch. 28.
1897, ch. 210.
1899, ch. 300.
1901, ch. 184, §§2,
3, 4.

§ 2796. When children to be sent to reform or industrial school. No child belonging to either of the classes specified in § 2788 shall be sentenced or committed to the Connecticut school for boys or the Connecticut industrial school for girls, unless such child is found to have committed an offense punishable by law, or is leading an idle, vagrant, or vicious life, or the court or magistrate making the commitment is of opinion that the child's previous circumstances and life have been such as to make it desirable that such child should be placed under the restraint, care, and guardianship of one of said schools.

1886.
Rev. 1888, §3659.
1893, ch. 92.

§ 2797. Transfer of children from said schools to county homes. The directors of either of said schools may at their discretion transfer any child belonging to either of the classes specified in § 2788 and committed to such school, to the county home of the county from which such child was committed, after reasonable notice to the board of managers thereof. The superintendent of such school shall immediately notify the comptroller of such transfer, and the expense of supporting the child in such home shall be paid by the state as provided in case of children committed to temporary homes by process of law.

1886.
Rev. 1888, §3660.

§ 2798. Guardianship over such children. Such transfer shall not divest the school from which the child is transferred of its guardianship and control over such child unless the same be relinquished by the board of directors of such school.

1886.
Rev. 1888, §3661.

§ 2799. County tax for support of homes. To provide for the expenses of temporary homes in excess of the sum received under §§ 2792 and 2795,

1883, 1884.
Rev. 1888, §3662.

said board shall present annually to the county representatives and senators an estimate of the expense of such homes for the succeeding year, and said representatives and senators may, and in case sufficient funds are not already in the treasury for such maintenance, shall, at their biennial meeting, or, in years in which no biennial meeting is held, at any special meeting duly called in such year, lay a county tax for the maintenance of such home or homes in their county.

1886.
Rev. 1888, §3663.

§ 2800. Extra school expense of town or district to be paid by county. The necessary extra expense incurred by any town or school district in providing school accommodations and instruction for the inmates of any temporary homes located therein shall be paid by the county as provided in § 2799.

1886.
Rev. 1888, §3664.

§ 2801. Managers of home to fix necessary school expenses. The board of managers of temporary homes in any county shall be the judge of what are necessary extra expenses, under § 2800, for school accommodations and instruction for inmates of temporary homes located therein, and no such expense shall be allowed or collected of such county unless it shall have been incurred with the approval of such board, nor until the account of the same shall have been audited and approved by such board.

1885.
Rev. 1888, §3665.

§ 2802. Penalty for removing child from county home. Every person who shall remove or cause to be removed from a temporary home, or from a private home provided by the board of management of temporary homes, any child who has been committed to a temporary home by a town or by any court, shall be fined not less than ten nor more than thirty dollars, or imprisoned not more than twenty days, or both; *provided*, that children so committed may be withdrawn upon the authority of said board or of the selectmen so committing them.

1893, ch. 255.
1895, ch. 228.

§ 2803. Commitments to other institutions. Transfers and releases. The authorities empowered by § 2795 of this chapter to commit children to temporary homes may commit such children to any suitable persons or institutions consenting thereto, designated by the parents or guardians of such children, upon being satisfied, after due inquiry made, that such commitments will be for the welfare and best interest of such children; *provided, however*, that the town from which any child is committed under the provisions of this section, or the town to which said child, if a pauper, would be legally chargeable, or the state or the county, shall not be liable for the expense of the support of such child by the person or institution, other than the temporary home, to which said child is committed. Said authorities or the board of managers of any temporary home may transfer any child from such home to the keeping of any suitable person or institution, upon the petition of the parents or guardian therefor, upon such authority or board being satisfied, after due inquiry had, that such transfer will be for the welfare and best interest of said child; and may release and discharge any child committed to said home, or committed or transferred to any suitable person or institution under this section, from said home, or from said person or institution, and from the authority of said board, person, or institution, and deliver said child to the keeping of its parents or guardian, upon petition of such parents or guardian to the authority that made the commitment or transfer, or to said

board, when it is shown upon inquiry had that the causes for which the commitment was made no longer exist; *provided, however*, that the town which committed any child to the temporary home, or the town to which said child, if a pauper, would be legally chargeable, shall not be liable for the expense of supporting such child after such transfer; and that any child who has been or shall be transferred to a private institution shall cease to be a charge to the state or county; and that said petition be made within a year of the date of the commitment of the child to the county home; and that the words "authority" and "authorities" shall not be construed to include justices of the peace. All children committed or transferred in accordance with this section shall be subject to the authority and supervision of the board of managers of the temporary home of the county in which the commitment or transfer takes place, and said board of managers, or their agents, may visit said children in the several places of commitment provided herein, in the same manner and with the same authority as is provided in § 2790 in reference to the visitation of selected families, and said managers may for good and sufficient cause remove temporarily to the temporary home of said county any child so committed or transferred until such cause is terminated; *provided*, that if said cause be not terminated within thirty days, then said managers may find a private family home for said child in accordance with the provisions of this chapter. This section shall not apply to the Connecticut industrial school for girls, or the laws relating thereto.

§ 2804. Equal privileges for religious instruction in county homes.

1893, ch. 148.

Equal privileges shall be granted to clergymen and parents of all religious denominations to impart religious instruction to the inmates of the temporary homes for dependent and neglected children, and to all children under the charge of boards of managers of temporary homes at their several places of commitment or residence, and every reasonable opportunity shall be allowed such clergymen to give to such children as belong to their respective denominations, and to such parents to give to their own children, such religious and moral instruction as they may desire; and the boards of management of said temporary homes shall prescribe reasonable times and places when and where such instruction may be given.

§ 2805. Parents must contribute to support children in homes.

1901, ch. 128.

Whenever either parent of any child who has been committed by a court to any county temporary home shall be of sufficient pecuniary ability to contribute to the support of such child, such parent shall contribute such weekly sum towards the support of such child as may be agreed upon between such parent and the board of management of the temporary home where such child is being cared for. Whenever said board shall be unable to make a satisfactory agreement with any parent as above provided, or whenever any parent shall refuse to make such payments as have been agreed upon, and said board is of the opinion that such parent, in either case, is in the receipt of such income as to enable him or her to make such payment, said board shall make complaint thereof to the proper prosecuting officer of the town where any such parent resides. Said prosecuting officer shall thereupon proceed against such parent as provided in § 1343, and such parent shall be subject to the penalties and provisions of said section.

1901, ch. 184, §5.

§ 2806. Court may revoke its commitment. Any court, by which a child has been committed pursuant to the provisions of this chapter, may, upon the application of a relative of such child, and while such child is in the guardianship of the board of management of a temporary home, upon due hearing, after reasonable notice to said board served upon its chairman or secretary, upon finding that the cause for commitment no longer exists, revoke its order of commitment, and thereupon such guardianship and all control of said board over such child shall terminate.

1798,
Rev. 1888, §3388.

§ 2953. Sick prisoners. Removal to another jail; sickness. When the prisoners in any jail shall be exposed to any malignant sickness, the county commissioners of the county in which it is, shall cause them to be removed at the expense of the state, to the next jail, in the same, or an adjoining county, there to be kept until such sickness shall abate; when they shall be removed by such commissioners, at the expense of the state, to the place from which they were taken; and all keepers of jails, to which such prisoners may be so removed, shall receive and keep them safely until they shall be remanded as aforesaid, or lawfully released.

1893, ch. 124.

§ 2975. Retention of diseased prisoners. When the medical officer of, or any physician employed in, any penal or charitable institution shall report in writing to the superintendent or other officer in charge of such institution, that any inmate thereof committed thereto by any court, or supported therein in whole or in part at public expense, is afflicted with any venereal disease so that his discharge from said institution would be dangerous to the public health, such inmate shall, with the approval of such superintendent or other officer in charge, be detained in said institution until such medical officer or physician shall report in writing to said superintendent or officer in charge of such institution, that such inmate may be discharged therefrom without danger to the public health. During detention, the person so detained shall be supported in the same manner as before such detention.

1882,
Rev. 1888, §3584.

§ 3766. Water-closets at stations. Every company operating a steam railroad shall maintain at each regular passenger depot such suitable water-closets as in the judgment of the commissioners the public convenience may require. The commissioners may make all necessary orders relating thereto and enforce the same by mandamus in the name of the state.

1883,
Rev. 1888, §3568.

§ 3801. Hospital stretchers to be provided. Every steam railroad company shall provide and cause to be placed in some car attached to each train passing over its railroad, and at every passenger station, a suitable hospital stretcher for use in case of accidents.

1880,
Rev. 1888, §2274.

§ 4068. Use of barbed wire regulated. No barbed wire shall be used within five feet of the ground along any sidewalk or public highway, without the written consent of a majority of the selectmen of the town, the members of the common council of the city, or the warden and burgesses of the borough, in which such sidewalk or highway is situated.

1889, ch. 126.

§ 4069. Barbed wire between adjoining premises. No person or corporation shall use barbed wire in the construction of fences, or have barbed wire upon existing fences, between their own premises and those of an adjoining pro-

prietor, within twenty-five rods of any house or barn belonging to such proprietor, without first obtaining his written consent. Every person or corporation violating any provision of this section shall be fined not more than one hundred dollars.

§ 4070. Use of barbed wire prohibited. No barbed wire shall be used in the construction of fences, or retained upon existing fences, connected with or enclosing the grounds of any public school or public building. Every person who shall violate any provision of this section shall be fined not more than one hundred dollars.

1889, ch. 143.
1897, ch. 52.

§ 4374. Quarantine of animals. The commissioner on domestic animals may quarantine all animals infected with a contagious disease and prohibit the sale of all the products thereof; but no animal shall be quarantined that does not give evidence of disease upon competent physical examination, and no animal shall be quarantined for more than thirty days.

1871.
Rev. 1888, §1699.
1889, ch. 141.
1893, ch. 288, §1.
1897, ch. 199, §2.

§ 4428. Bodies for anatomical purposes. The first selectman of any town, the mayor of any city, the sheriff, coroner, or jailer of any county, the master of any workhouse, superintendent, or person in charge of any almshouse, asylum, hospital, morgue, or other public institution which is supported in whole or in part at public expense, having in his possession or control the dead body of any person which would have to be buried at public expense, or at the expense of any such institution, shall give notice thereof to the department of medicine of Yale university, and upon the expiration of twenty-four hours after death, or after such body shall have come into his control, shall deliver said body to said department in such manner as it shall direct, and at its expense, if said department shall at any time within one year have given notice to any of said officials that such bodies would be needed for the purposes hereinafter specified; *provided*, that such bodies shall not have been claimed by any relative, either by blood or marriage, or any legal representative of such deceased person, within the said period of twenty-four hours.

1871.
Rev. 1888, §1729.
1893, ch. 38, §1.

§ 4429. When the delivery of bodies is prohibited. No notice shall be given, and no body delivered, in case of a person dying of Asiatic cholera, yellow fever, scarlet fever, typhus fever, smallpox, diphtheria, membranous croup, or measles; nor shall the body of any person known to said officer to have relatives, either by blood or marriage, be delivered without their consent; nor shall the body of any person detained on civil process or for trial for any criminal offense, or of any traveler or stranger other than a tramp or vagrant, or of a person who shall be known to have expressed a desire that his body should be buried, be so delivered; and the body of any person so delivered, if subsequently claimed by any relative or friend for burial, shall be given up to him for that purpose.

1871.
Rev. 1888, §1729.
1893, ch. 38, §1.

§ 4430. Disposition of remains of bodies. The professors and teachers of said department of medicine shall dispose of the remains of all bodies, received in accordance with the provisions of this chapter, in a manner consistent with public propriety, and as directed by the state board of health, after the same shall have answered the purposes of study; and said department shall

1871.
Rev. 1888, §1730.
1893, ch. 38, §2.

keep a record of the name, sex, and last residence, if known, of every person whose body is so received.

1871.
Rev. 1888, §1731.

§ 4431. Bodies to be used for medical study. Such bodies shall be used for the purposes of medical and surgical study only, in a manner consistent with public propriety, and in this state only.

1824.
Rev. 1875, p. 151.
Rev. 1888, §1732.

§ 4432. Disposition of bodies of convicts. The bodies of convicts who die in the state prison shall, if unclaimed for a period of twenty-four hours, be at the disposal of the professors of anatomy and surgery in the medical institution of Yale university, to be used for the purpose of advancing medical science in this state, and shall be subject to their order.

Rev. 1875, p. 151.
Rev. 1888, §1733.

§ 4433. Inspection of medical institutions. The mayor and the two senior aldermen of every city, and the selectmen of every town, may, at any time, enter and inspect every part of any building therein, used as a college, academy, school, or medical institution, in which instruction is given in the science of medicine, anatomy, or surgery.

1824.
Rev. 1875, p. 153.
Rev. 1888, §1734.

§ 4434. Dissections regulated; penalty. No professor, teacher, or lecturer, in any college, academy, school, or medical institution shall perform an anatomical or surgical experiment on a corpse in any building in which students are instructed in medical science, until he shall have given bond, to the state, to the acceptance of the treasurer, in the sum of one thousand dollars, conditioned that no corpse, which shall have been removed contrary to the provisions of § 1377 shall be brought within such building during the time that he exercises the duties of professor, teacher, or lecturer; and every person, who shall perform any anatomical or surgical experiments on a corpse, in any such building, before said professor, teacher, or lecturer shall have given such bond, shall be fined not more than two thousand dollars.

1887.
Rev. 1888, §1735.

§ 4435. Hospital post mortem examinations. Whenever any sick or disabled person shall be placed in a hospital for treatment and before being removed therefrom shall die, and such death is not caused by, or in the opinion of the coroner of the county wherein such death occurred was not the result of, the criminal act, omission, or negligence of another, it shall be unlawful for any physician to conduct or assist in conducting any *post mortem* examination or autopsy upon the body of such deceased person without first obtaining the written consent of his father, mother, husband, wife, child, or next of kin, or of the friends representing the deceased and claiming the custody of the body; and in case the hospital authorities, after due inquiry and diligence, shall be unable to find such relative or friends such autopsy shall not be made until after reasonable time, not exceeding forty-eight hours, has elapsed. Every person violating any provision of this section shall be fined not more than five hundred dollars.

1878.
Rev. 1888, §1736.
1893, ch. 38, §3.

§ 4436. Penalty. Every selectman, mayor, sheriff, coroner, or jailer, the master of any almshouse, asylum, hospital, morgue, or other public institution which is supported, in whole or in part, at public expense, who shall deliver a corpse, for the purposes of medical and surgical study, to any person in violation of any provision of this chapter, and every person who shall violate any provision of this chapter for which no other penalty is prescribed, and every person knowing that the deceased had relatives, either by blood or marriage,



who desired to give the body a decent burial, or to whom the deceased had expressed a desire that his body should be buried, who shall wilfully neglect or refuse to give information thereof to the persons in charge of such body, having reasonable opportunity for so doing and having knowledge of the fact that such body may be delivered up for medical or surgical purposes, shall be fined not more than five hundred dollars, and shall be liable in damages to the executor or administrator of the deceased, in a sum not less than two hundred, nor more than four hundred dollars.

§ 4437. Delivering or receiving corpse for speculation: penalty. Every person who shall deliver or receive a corpse for the purpose of speculation, or pecuniary profit, shall be fined not more than one thousand dollars, and imprisoned not more than one year. 1871, § 1737.
Rev. 1888, § 1737

§ 4454. Cemeteries not to be near ice ponds. No cemetery or place of sepulture shall be located within six hundred feet of any ice pond already located, from which the inhabitants of any town, city, or borough are supplied with ice, unless such pond is upon a higher level than such cemetery or place of sepulture; nor shall any such ice pond be located within six hundred feet of any cemetery or place of sepulture, unless such ice pond is upon a higher level than such cemetery or place of sepulture, or unless the superior court of the county where such cemetery or place of sepulture or ice pond is located shall, upon application, and such notice as it may deem proper, find that such cemetery or place of sepulture or such ice pond so proposed to be located is of public convenience and necessity and will not be detrimental to the public health. If said court shall so find, before such cemetery or place of sepulture is located, it shall appoint a committee of three disinterested persons who, after examining the premises and hearing the parties interested, shall report to the court the damages to such ice pond resulting from such location. If said report is accepted, such cemetery or place of sepulture shall not be located until said damages are paid to the owner of such pond or deposited with the treasurer of the county for his use, which shall be done within thirty days after the acceptance of said report. If said application shall be denied, the owner of the ice pond shall recover costs of the applicant, to be taxed by said court, which may issue execution therefor. This section shall not affect grounds owned by existing cemetery associations, or land contiguous to such grounds which may hereafter be taken for the enlargement thereof. 1889, ch. 246.
Sec § 2598.

§ 4455. Grounds to be enclosed. Every association organized for the purpose of enlarging any old public burying ground, not owned in fee by any person or persons, shall enclose it and keep it enclosed when enlarged, and have control thereof. 1871.
Rev. 1888, § 1872.

§ 4456. Trust funds for care of cemeteries. Towns, ecclesiastical societies, and cemetery associations may receive and hold in trust donations, the income of which is to be used wholly or in part for the care or improvement of their cemeteries and burial lots, or of private lots within such cemeteries or elsewhere. All such donations shall be invested as by law required for the investment of trust funds, except when otherwise authorized by the donor. 1879, 1885.
Rev. 1888, §§ 1874,
1877.
1895, ch. 248.

§ 4456. Cemetery association is not a benevolent society. 73 C. 678.

1880.
Rev. 1888, §1876.

§ 4457. Acceptance of legacy. Any town or ecclesiastical society, at any meeting duly warned and held for that purpose, may accept, upon the terms and conditions expressed by a testator in his will, any legacy intended as a provision for the enlargement, improvement, or repair of any cemetery or any part thereof, in any town in this state.

1895, ch. 248, §§1,
2, 3.

§ 4458. Care of funds by towns. Such a donation, when received by a town, shall, unless otherwise directed by the donor, be paid to the town treasurer; and the income therefrom shall be paid by such treasurer to such person as the selectmen may annually appoint to receive and expend said income. The person so appointed shall give a bond to the town for such sum as the selectmen may fix, with surety to their satisfaction, conditioned for the faithful performance of his duties; and thereupon such person shall expend said income pursuant to the terms of the instrument or declaration of trust regulating the use thereof, and when no specific direction is made by the donor relative to the expenditure of said income, he shall expend the same for the general care and improvement of the cemeteries in such town.

1879.
Rev. 1888, §1875.
1901, ch. 13.

§ 4459. Care of funds by societies and associations. When such a donation is received by an ecclesiastical society or cemetery association, such society or association shall appoint a committee of not less than three persons, who shall have charge of the investment of such donation. The treasurer of such society or association shall be, *ex officio*, the treasurer of such committee, and shall give a bond, with surety, to the satisfaction of such committee, for the faithful discharge of his duties. He shall expend the income of such donation for the purposes set forth in the instrument or declaration of trust regulating the use of such donation, at the times and in the manner designated by such society or association; and shall annually, or more frequently if required, make a report to such society or association, stating the income received, to whom it has been paid, the amount and condition of the fund, and how it is invested.

1889, ch. 87.

§ 4460. Cemeteries in adjoining towns. When any cemetery association or ecclesiastical society owns or manages a cemetery or cemeteries in two adjoining towns, or in the town next adjoining the town in which such association or society is located, a certificate of the registrar of that one of such towns in which any person dies shall be sufficient to enable such association or society to bury such deceased person in any of the cemeteries owned or managed by it as aforesaid.

1897, ch. 228, §4.

§ 4463. Erection of crematories. Any resident of this state, or any corporation formed under the laws of this state, may erect, maintain, and conduct a crematory at any place in this state and provide the necessary appliances and facilities for the decent and proper disposal by incineration of the bodies of the dead; but no such crematory shall be erected until the location thereof and the plans therefor shall have been approved by the state board of health, and no such crematory shall be used until the same shall have been inspected and approved by said state board of health. Such inspection and approval may be by a committee appointed by said board for that purpose, and a certificate of such approval shall be given to the proprietor of such crematory and entered upon the records of the board.

§ 4464. Crematories at public institutions. Any public institution of this state may erect and maintain a crematory for the incineration after death of the bodies of those connected with the institution officially or as inmates, and such others as may be deemed advisable. Such crematories shall be erected, maintained, and conducted in accordance with the provisions of this chapter, and all cremations shall be made subject to all the restrictions herein provided. No body shall be cremated in any such crematory if the body shall be claimed and removed, after notice, by friends or by the authorities of the town in which such person had a settlement; but any body may be cremated with the consent of such friends or such town authorities. 1897, ch. 228, §5.

§ 4465. Records and certificates as to crematories. The owners or managers of any crematory may make such rules not inconsistent with law as may seem necessary or desirable. Every crematory shall keep books of record, which shall be open at reasonable times for inspection, in which shall be entered the name, age, sex, and residence of each person whose body is cremated, together with the authority for such cremation and the disposition of the ashes; and the owner or superintendent shall immediately forward to the registrar by whom the permit required by § 4466 was issued, a certified duplicate of such record, which said registrar shall keep on file and record with other vital statistics. When any body is removed from this state for the purpose of cremation, the person having the legal custody and control of such body shall see that a certificate is procured from the person in charge of the crematory in which such body shall be incinerated, stating the facts called for in this section, and that said certificate is filed for record with the registrar by whom the permit was issued. 1897, ch. 228, §6.

§ 4466. Cremation authorized. The body of any deceased person may be disposed of by incineration or cremation in this state, or may be removed from the state for such purpose. In every such case the certificate of death now required by law shall be filed with the registrar of vital statistics, together with a certificate under oath, in cases where death results from natural causes, from the town health officer of the town where the death occurred, and in other cases from the medical examiner or coroner, that he has viewed the body and made personal inquiry into the cause and manner of death, and is of the opinion that no further examination or judicial inquiry concerning the same is necessary. Upon receipt of such certificates the registrar shall issue a permit for the cremation of such body; but in no case shall any body be cremated until at least forty-eight hours after death, unless such death was the result of contagious or infectious disease; and no body shall be received by any crematory unless accompanied by the permit provided for in this section. 1897, ch. 228, §3.

§ 4467. Blanks for permits. The bureau of vital statistics shall provide forms for such permits, which shall not be the same as for the regular burial permits, and such blanks and books as may be required by the registrars. 1897, ch. 228, §7.

§ 4468. Disposal of bodies. The body of every person who shall die in this state shall be buried, removed, or cremated within a reasonable time after death. The person to whom the custody and control of the remains of any deceased person are granted by law shall see that the certificate of death required by law is procured, and that such body is buried, removed, or cremated. This 1897, ch. 228, §1.

section shall not in any way impair the authority of health officers in cases of death resulting from contagious or infectious diseases, nor conflict with any statutes regulating the delivery of bodies to any medical school, nor prevent the placing of any body temporarily in the receiving vault of any cemetery. The placing of any body in a family vault or tomb within any cemetery shall be deemed a burial under this chapter.

1897, ch. 228, §2.

§ 4469. Duty of sexton. The burial or removal permit provided for by law shall be required in every case mentioned in § 4468, except that, in cases where any body shall be placed temporarily in the receiving vault of any cemetery and subsequently buried in the same cemetery, no additional permit shall be required for such subsequent burial, but in such case the sexton of such cemetery shall indorse upon the original burial permit the date when such body was placed in the receiving vault, and the date when and the place where such body was subsequently buried, and he shall also include the same facts in his monthly returns to the registrar of vital statistics.

1897, ch. 228, §3.

§ 4470. Penalty. Every person who shall make any false statement in procuring any permit, or who shall remove any body from this state for the purpose of cremation upon an ordinary removal permit, or who shall violate any provision of this chapter shall be fined not more than five hundred dollars or imprisoned not more than five years.

1887.
Rev. 1888, §2265.
1893, ch. 119.

§ 4516. Sanitary condition of factories. All factories and buildings where machinery is used shall be well lighted, ventilated, and kept as clean as the nature of the business will permit. The belting, shafting, gearing, machinery, and drums, of all factories and buildings where machinery is used, when so placed as, in the opinion of the inspector, to be dangerous to the persons employed therein while engaged in their ordinary duties, shall, as far as practicable, be securely guarded. No machinery other than steam engines in a factory shall be cleaned while running after notice forbidding the same is given by the inspector to the owners or operators of the factory.

1887.
Rev. 1888, §2266.
1893, ch. 118.

§ 4517. Safety of employees. The inspector may order all hoistways, hatchways, elevator wells, and well holes, upon every floor of every factory, mercantile establishment, or other building where machinery is used, to be protected by trapdoors, self-closing hatches, safety catches, or such other safeguards as will insure the safety of the employees therein. Due diligence shall be used to keep such trapdoors closed at all times, except when in actual use by an occupant of the building having the use and control of the same. All elevator cabs or cars, whether used for freight or passengers, shall be provided with some suitable mechanical device, if considered necessary by said inspector, whereby the cab or car will be securely held in the event of accident to the shipper rope or hoisting machinery, or from any similar cause, and said mechanical device shall at all times be kept in good working order.

1901, ch. 97, §1.

§ 4518. Use of stained glass windows forbidden. Every person, firm, or corporation using stained, painted, or corrugated glass in factory windows, where the same is injurious to the eyes of the workmen therein, shall remove the same upon the order of the factory inspector.

§ 4519. Water-closets to be provided. Every person or corporation managing or operating any factory, or owning or controlling the use of any other building where more than five persons are employed, shall provide and keep in good sanitary condition suitable water-closet accommodations for the use of the persons employed. 1887.
Rev. 1888, §2267.

§ 4520. Notice of complaints by inspector. The inspector shall enforce the provisions of this chapter by giving proper orders or notices to the persons or corporations owning, operating, or managing, the factories or buildings inspected by him, and shall make complaint to the state's attorneys of all violations of this chapter. 1887.
Rev. 1888, §2268.

§ 4521. Order to remove excessive dust. Whenever the inspector, on complaint of any person, shall find it necessary, for the preservation of the health of the employees in any manufacturing establishment, factory, or mill in which is carried on the business of buffing, polishing, or grinding metals, or any operations in which an excessive amount of dust is generated, that such dust should be removed from the atmosphere of the rooms or apartments used for that purpose, he shall, in writing, direct the person, or corporation owning, occupying, or carrying on business in such premises, within three months from the date of said order, to introduce and operate such appliances or devices as may be necessary to remove, so far as the nature of the business will permit, such excessive dust or foreign matter; *provided*, that such appliances or devices do not restrict or interfere with the aforesaid business or operations. 1893, ch. 204.

§ 4522. Penalty for violation of orders. Every owner, lessee, or occupant of a factory or building included within the provisions of this chapter, or owning or controlling the use of any room in such building, shall, for the violation of any provision of §§ 4516, 4517, 4519, or 4521. or for obstructing or hindering the inspector of factories in carrying out the duties of his office, be fined not more than fifty dollars but no prosecution shall be brought for any such violation until four weeks after notice has been given by the inspector to such owner, lessee, or occupant of any changes necessary to be made to comply with the provisions of said sections, and not then, if, in the meantime, such changes have been made in accordance with such notification. Nothing herein shall limit the right of a person injured to bring an action to recover damages. 1887.
Rev. 1888, §2269.
1889, ch. 325.
1895, ch. 206, §1.

§ 4523. Notices of inspector. The orders and notices given by the inspector under this chapter shall be written or printed, signed by him officially, and may be served by himself or any proper officer or indifferent person, by leaving an attested copy thereof with or at the usual place of abode of the person upon whom service is to be made; and the notice, properly indorsed with the doings of the person or officer serving the same, shall be returned to the office of the town clerk of the town in which is located the factory, building, or business to which such notice appertains, where it shall be kept on file. Such notice, or copies thereof duly certified by the town clerk, shall be *prima facie* evidence that notice was given as therein appears. Notice to one member of a firm shall be notice to every member thereof, and notice to the president, secretary, or treasurer of a corporation shall be notice to such corporation. The fees for serving such orders and notices, unless served by the inspector, shall be the same 1887.
Rev. 1888, §2270.

as for the service of process in civil actions, and shall be included in the necessary expenses of the inspector.

1895, ch. 206, §2

§ 4524. Appeal. Any person, firm, or corporation aggrieved by any order of the factory inspector may appeal to the superior court in the county where the person, firm, or corporation owns, leases, or occupies the factory or building to which said order relates, within four weeks after notice of such order shall be given. Said appeal shall operate as a *supersedeas*, shall be made in writing, and shall contain a brief statement of the facts and reasons of appeal and a citation to the inspector to appear before said court, and said court or a judge thereof may direct the time of appearance and the manner of service. Said court may review the doings of the factory inspector, confirm, change, or set them aside, and make such orders in the premises, including orders as to costs, as it may find to be proper and equitable.

1887.
Rev. 1888, §2271.

§ 4525. Office of inspector. The comptroller shall provide suitable rooms in the capitol for the inspector, and furnish him blank forms for the notices and orders required by this chapter, and for annual reports. The inspector shall keep in books provided by the comptroller copies of all notices and orders given by him, and a record of all inspections and examinations made; and upon the expiration of his term of office shall file his books of record with the secretary of state.

1887.
Rev. 1888, §2372,
1893, ch. 206.

§ 4526. Employment of special agents. The inspector may from time to time employ special agents to assist him in the performance of his duties. Such special agents shall have the same power and authority as the inspector, subject to his approval. The total amount expended under this section shall not exceed in any one year three thousand dollars, which shall be paid upon proper vouchers by the special agents, signed by the inspector.

899, ch. 199, §1.

§ 4527. Examination of tenement houses. The inspector shall, as often as practicable, examine all buildings, apartments, rooms, and places in any tenement or dwelling house used for residential purposes and used in whole or in part by others than the immediate members of the family therein, for the manufacture of artificial flowers, purses, cigars, cigarettes, or any articles of wearing apparel intended for sale.

1899, ch. 199, §2.

§ 4528. Inspector to be notified of work carried on. The persons engaged in the manufacture of such goods in such premises, within thirty days after beginning such manufacture, shall notify said inspector of the location of said workrooms, the nature of the work there carried on, and the number of persons therein employed.

1899, ch. 199, §§3,
4.

§ 4529. Sanitary condition of workrooms. The person operating said workrooms shall keep the same at all times in a clean and sanitary condition, properly lighted, ventilated, and fit for the occupancy of the persons engaged in work therein. The inspector or any of his special agents shall notify the owner of such premises, and the person using the same for the purposes set forth in § 4527 to provide ample means for lighting or ventilating such workrooms, and to put the same in a clean, sanitary, and fit condition for occupancy for said work; and if said notification be not complied with in thirty days after the service of

such notice, said inspector or any of his special agents shall cause complaint to be made to the proper prosecuting authority.

§ 4535. No persons to be married until license is obtained. No persons shall be married until one of them shall under oath inform the registrar of births, marriages, and deaths of the town in which the marriage is to be celebrated, of the name, age, color, occupation, birthplace, residence, and condition (whether single, widowed, or divorced) of each. Such registrar shall thereupon issue his certificate that the parties therein named have complied with the provisions of this section, which certificate shall be a license for any person, authorized to celebrate marriage, to join in marriage, within said town only, the parties therein named; but no such certificate shall be issued if either of the parties is a minor, until a parent or guardian having control of such minor shall give to the registrar his written consent; but in the case of a female having no parent or guardian who is a resident of the United States, the consent of the first selectman of the town where she has last resided for the period of six months shall be sufficient; and every registrar who shall knowingly issue such certificate, without such consent, shall be fined one hundred dollars; and every person who shall join any persons in marriage, without having received such certificate, shall be fined one hundred dollars.

1854, 1868, 1886.
Rev. 1888, §2786.
1895, ch. 63.

§ 4536. Certificate of marriage; penalty. Every person who shall join any persons in marriage shall certify upon the license certificate the fact, time, and place of such marriage, and return it to the registrar of the town where it was issued, before or during the first week of the month next succeeding such marriage, and upon failure thereof shall be fined not more than ten dollars.

1854.
Rev. 1888, §2787.
1899, ch. 24.

§ 4537. Certificates prima facie evidence. The certificates required by §§ 4535 and 4536 shall be *prima facie* evidence of the facts therein stated.

1854.
Rev. 1888, §2788.

§ 4538. Who may join persons in marriage. All judges, justices of the peace, and ordained or licensed clergymen belonging to this state, or any other state, so long as they continue in the work of the ministry, may join persons in marriage; and all marriages attempted to be celebrated by any other person shall be void; but all marriages which shall be solemnized according to the forms and usages of any religious denomination in this state shall be valid.

1640, 1694, 1702,
1783, 1820, 1847,
1855, 1865, 1874.
Rev. 1888, §2789.

§ 4670. Maternity hospitals. License. Inspection. Penalty. No person shall keep a maternity hospital, or lying-in place, unless such person has previously obtained a license therefor, duly issued by the mayor or board of health of the city, or health officer of the town, wherein such maternity hospital or lying-in place is situated. Within six hours after the departure, removal, or withdrawal, of any child born at such maternity hospital, or lying-in place, the keeper thereof shall make a record of such departure, removal, or withdrawal of such child, and the names and residences of the persons who took such child, and

1895, ch. 102.

§ 4536. A certificate of marriage an original document and need not be authenticated as a copy. 52 C. 526; 57 C. 537; 61 C. 507. When proof depends on validity of form of certificate same rule prevails in civil and criminal proceedings. 61 C. 509. Use of abbreviation not fatal to validity of certificate. *Ib.* 507.

§ 4538. Minister who solemnizes marriage must be "settled in the work of the ministry." 2 R. 382. Ordained deacon performing usual duties of minister held to be authorized. 4 C. 134. A clergyman in performing marriage ceremony public officer and his acts in that capacity *prima facie* evidence of his character. 4 C. 219.

whatever disposition of such child, or its body, is made, and the place to which it is taken and where it is left, which record shall be produced by the keeper or licensee of said hospital, or lying-in place, for inspection by and upon the demand of any person authorized to make such inspection by the mayor or board of health or health officer of the city or town in which such hospital or lying-in place is located. Every keeper of any such hospital, or lying-in place, and his servants and agents, shall permit any person, so authorized, to enter such hospital or lying-in place, and inspect such hospital or lying-in place and all its appurtenances for the purpose of detecting any improper treatment of any child, or any improper management or conduct in said hospital or lying-in place or its appurtenances. Every person so authorized may take and remove any article, which he thinks presents evidence of any crime being committed therein, and deliver the same to the coroner of the county, to be disposed of according to law. Every person violating any provision of this section shall be fined not less than fifty, nor more than five hundred dollars, or imprisoned not more than one year, or both.

1901, ch. 132,
§§6-9.

§ 467². Barbers. Examining board. Apprentices. Students.

The board shall hold four public examinations in four different cities in this state in each year, at such times and places as it may determine, notice of each meeting to be given by advertisement at least ten days before such meeting in a daily newspaper in Hartford and likewise in the county where such meeting is to be held. Any person desiring to obtain a certificate of registration shall make application to said board therefor, shall pay to the treasurer of said board an examination fee of five dollars, and shall present himself at the next regular meeting of the board for the examination of applicants. Thereupon said board shall examine such person, and, being satisfied that he is above the age of nineteen years, of good moral character, free from contagious diseases, has studied the trade for three years as an apprentice under a qualified and practicing barber or in a properly appointed and conducted barber school under the instruction of a competent barber, or has practiced the trade for at least three years in this or other states, has the requisite skill in said trade to perform all the duties thereof, including the preparation of the tools, shaving, hair cutting, and all services incident thereto, and has sufficient knowledge concerning the common diseases of the face and skin to avoid the aggravation and spreading of such diseases in the practice of said trade in this state, shall thereupon issue to such person a certificate entitling him to practice the occupation of a barber in this state. Nothing in this chapter shall prohibit any person from serving as an apprentice in said trade under a barber authorized to practice said trade under this chapter, nor from serving as a student in any school for the teaching of such trade under the instruction of a qualified barber.

1901, ch. 132,
§§10-14.

§ 4673. Certificates exhibited; register; revocation; definition; penalty. Said board shall furnish to each person to whom a certificate of registration is issued a card bearing the seal of the board and the signature of its president and secretary, certifying that the holder thereof is entitled to practice the occupation of barber in this state, and the holder of such card shall post the same in a conspicuous place in front of his working chair, where it may readily be seen by all persons whom he may serve. Said board shall keep a register in which shall be entered the names of all persons to whom certificates

are issued under this chapter, and said register shall be at all times open to public inspection. Said board may revoke any certificate of registration granted by it under this chapter, for gross incompetency, or for having or imparting any contagious or infectious disease in said trade; *provided*, that before any certificate shall be so revoked the holder thereof shall have notice in writing of the charge against him, and shall, at a day specified in said notice, at least five days after the service thereof, be given a public hearing and full opportunity to produce testimony in his behalf and to confront the witnesses against him. Any person whose certificate has been so revoked may, after the expiration of ninety days, apply to have the same regranted, and the same shall be regranted to him upon a satisfactory showing that the disqualification has ceased. To shave and trim the beard or cut the hair of any person for hire or reward shall be construed as practicing the occupation of barber within the meaning of this chapter. Every person practicing the occupation of barber without having obtained a certificate of registration as provided by this chapter, or wilfully employing a barber who has not such a certificate, or falsely pretending to be qualified to practice such occupation under this chapter, or violating any of the provisions of this chapter, shall be fined not more than one hundred dollars.

§ 4699. Inspection of lodging houses. Every agent of a firm or corporation and every other person who shall maintain or have charge of any structure used as a boarding house or place of abode for laborers employed by such person, firm, or corporation shall within seventy-two hours after such structure has been occupied for such purpose or purposes notify the health officer of the town, city, or borough, in which such structure is located. Such health officer within five days thereafter shall inspect such premises and may forbid the use of the same altogether, or make such other orders as he may deem necessary to protect the health of the inmates. Every person violating any provision of this section or failing to comply with any order of a health officer made pursuant to this section shall be fined not more than one hundred dollars. 1901, ch. 68, §§3, 4.

§ 4702. Master's duty to servant. It shall be the duty of the master to exercise reasonable care to provide for his servant a reasonably safe place in which to work, reasonably safe appliances and instrumentalities for his work, and fit and competent persons as his collaborators; to exercise reasonable care in the appointment or designation of a vice-principal, and to appoint as such vice-principal a fit and competent person. The default of a vice-principal in the performance of any duty imposed by law on the master shall be the default of the master. 1901, ch. 155.

§ 4703. Seats to be provided for female employees. Every person, partnership, or corporation, employing females in any mercantile, mechanical, or manufacturing establishment shall furnish and provide suitable seats for the use of all females so employed, and shall permit the use of such seats by said females when they are not necessarily engaged in the active duties for which they are employed. Every person, partnership, or corporation violating any provision of this section shall be fined not more than fifty dollars. 1893, ch. 77.

§ 4704. Employment of children under fourteen. No child under fourteen years of age shall be employed in any mechanical, mercantile, or manufacturing establishment. 1886.
Rev. 1888, §1753
1895, ch. 118, §1.

1886,
Rev. 1888, §1754,
1895, ch. 118,
1901, ch. 110, §§1,
2, 3.

§ 4705. Certificate of age of child. Every person or corporation employing a child under sixteen years of age in any mechanical, mercantile, or manufacturing establishment shall obtain a certificate showing that the child is over fourteen years of age. Such certificate shall be signed by the registrar of births, marriages, and deaths or by the town clerk of the town where there is a public record of the birth of the child, or by a teacher of the school which the child last attended, or by the person having custody of the register of said school. If the child was not born in the United States and has not attended school in this state, one of the parents or the guardian of the child shall have the date of the birth of the child recorded by the registrar of births, marriages, and deaths, or by the town clerk, where such parent or guardian resides. When applying for a record of the date of birth the parent or guardian shall state under oath to said registrar or town clerk the date and place of birth of the child, and said registrar or town clerk shall demand of the parent or guardian any family record, passport, or other paper showing the age of the child. Every employer or other person having control of any establishment or premises where children under sixteen years of age are employed, who shall neglect to keep on file the certificates described in this section or to show the same, with a list of the names of such children so employed, to the secretary or an agent of the state board of education, or to an agent of the board of school visitors, town school committee, or board of education, as the case may be, of the town in which the establishment or premises are located, when demanded during the usual business hours, shall be fined not more than one hundred dollars. The fee for recording the birth of a child shall be fifteen cents, to be paid by the parent or guardian of the child. For a certificate of the record the fee shall be fifteen cents.

1886,
Rev. 1888,
§§1754, 2107,
1895, ch. 118, §2,
1901, ch. 110,
§§4, 5.

See §2120.

§ 4706. Penalty. Every person acting for himself, or as agent of a mechanical, mercantile, or manufacturing establishment, who shall employ, authorize, or permit to be employed in such establishment any child, in violation of any provision of § 4704 or 4705, shall be fined not more than sixty dollars, and every week of such illegal employment shall be a distinct offense; *provided*, that no person shall be punished under this section for the employment of any child, when at the time of such employment the employer shall obtain, and thereafter during such employment keep on file, the certificate provided for in § 4705.

1893, ch. 158, §1.
1897, ch. 187, §2.

§ 4714. Who may practice medicine, surgery, or midwifery. No person shall, for compensation, gain or reward, received or expected, treat, operate, or prescribe for any injury, deformity, ailment, or disease, actual or imaginary, of another person, nor practice surgery or midwifery, until he has obtained such a certificate of registration as is in § 4715 provided, and then only in the kind or branch of practice stated in said certificate; but this chapter shall not apply to dentists while practicing dentistry only; nor to any person in the employ of the United States government while acting in the scope of his employment; nor to any person who shall furnish medical or surgical assistance in cases of sudden emergency; nor to any person residing out of this state who shall be employed to come into the state to assist or consult with any physician or surgeon who has been registered in conformity with the provisions of this chapter; nor to any physician or surgeon then actually residing out of this state who shall be employed to come into this state to treat,

operate, or prescribe for any injury, deformity, ailment, or disease from which any person is suffering at the time when such nonresident physician or surgeon is so employed; nor to any actual resident of this state recommending by advertisement or otherwise the use of proprietary remedies sold under trade-marks issued by the United States government, in so far and to such extent only as the use of such remedies are concerned; nor to any chiropodist or clairvoyant who does not use in his practice any drugs, medicines, or poison; nor to any person practicing the massage method, or Swedish movement cure, sun cure, mind cure, magnetic healing, or Christian science; nor to any other person who does not use or prescribe in his treatment of mankind drugs, poisons, medicines, chemicals, or nostrums.

§ 4715. Requirements for obtaining certificate of registration. No person shall obtain a certificate of registration as in § 4714 required until he has passed a satisfactory examination before one of the examining committees appointed for the purpose by the state board of health, nor until he has filed with said board duplicate certificates signed by a majority of said examining committee, stating that they have found him qualified to practice either medicine, surgery, or midwifery, nor until he has filed with said board duplicate statements subscribed and sworn to by him upon blanks furnished by said board, giving his name, age, place of birth, and present residence, stating of what medical college he is a graduate, and the date of such graduation, together with such other information as shall be required by said blanks. No person shall be eligible to said examination until he presents to the committee, by whom he is to be examined, satisfactory evidence that he has received a diploma from some legally incorporated medical college. Any person passing such examination and filing said certificates and statements shall receive from said state board of health, upon payment of two dollars, a certificate of registration, which shall state that the person named has been found qualified so to practice.

1893, ch. 158.
1897, ch. 187, §1.
1901, ch. 135, §2.

§ 4716. Nomination and appointment of members of examining committees. The Connecticut medical society, the Connecticut homeopathic medical society, and the Connecticut eclectic medical society shall each annually in December file with the state board of health the name of one physician, practicing in this state, who shall have been recommended by such medical society as a person competent to serve upon one of the examining committees appointed by the state board of health, as specified in chapter 158 of the public acts of 1893; and in case any vacancy occurs upon any of said examining committees, the president of the society of whose members said committee is composed shall nominate such a person to fill said vacancy. Annually in January the state board of health shall appoint one member of each of said committees, who shall have been nominated for such office as aforesaid, to serve five years; and said board shall in the same manner fill any vacancy occurring in any of said committees.

1893, ch. 158.
§86, 7.

§ 4717. Examination through interpreter. Every examining committee provided for in § 4716 shall, when requested by an applicant for a certificate permitting said applicant to practice midwifery, if said applicant does not understand the English language, conduct the examination through an interpreter of the language which the applicant understands. Said interpreter

1901, ch. 84.

shall be furnished and paid by the applicant, and shall give the committee conducting the examination satisfactory proof of his ability correctly to translate the language of the applicant into English. Whenever such applicant shall have satisfactorily passed an examination so conducted, a certificate of registration shall be issued as provided in § 4715.

1893, ch. 158.
1901, ch. 135.

§ 4718. Examinations. Papers recorded. Lists of colleges. The said examining committees shall hold examinations on the second Tuesdays of March, July, and November of each year, at such places as they may designate, and at such other times and places as they shall determine. Applicants for certificates to practice medicine or surgery shall be examined in anatomy, physiology, medical chemistry, obstetrics, hygiene, surgery, pathology, diagnosis, and therapeutics, including practice and materia medica. Each committee shall frame its own questions and conduct its examinations in writing, and both questions and answers shall be filed with the state board of health. Each applicant shall choose by which of the three committees he shall be examined; but before taking such examination he shall pay to the committee the sum of fifteen dollars, *provided*, that the fee for examination in midwifery alone shall be ten dollars. An applicant, rejected by an examining committee, shall not be eligible to re-examination until after the expiration of twelve months. Upon the receipt of any duplicate statements as in § 4715 provided, the state board of health shall transmit one of said duplicate statements, together with a duplicate of the certificate of registration in each case, to the town clerk of the town wherein the person so filing said statement resides; and in case such person does not reside in the state of Connecticut, the state board of health shall transmit said statement and certificate to the town clerk of the town in this state nearest to the place of residence of such person; and said town clerk shall record the same in a book to be provided for that purpose by the state board of health, and shall then return the same to the person who filed the same with the board of health; and said town clerk shall receive for such recording a fee of twenty-five cents, to be paid by the state board of health out of the amount so paid to it as aforesaid. The secretary of each of said medical societies shall file with the secretary of the state board of health a list of medical colleges or institutions recognized as legal and reputable by his society; or all of such secretaries may agree upon a single list; and such list or lists may be corrected as may be necessary.

1893, ch. 158,
§§11, 16.

§ 4719. Exceptions; prescription in English; penalties; clerk. Nothing in this chapter shall be construed to repeal or affect any of the provisions of any private charter. The provisions of this chapter shall not apply to licensed pharmacists. All physicians or surgeons practicing under the provisions of this chapter shall, when requested, write a duplicate of their prescriptions in the English language. Every person who violates the requirements of this section regarding prescriptions shall be fined ten dollars for each offense. Every person violating any provision of § 4714 shall be fined not less than one hundred dollars nor more than three hundred dollars for the first offense, and for each subsequent offense not less than two hundred nor more than five hundred dollars, or imprisoned in the county jail for not less than thirty nor more than ninety days, or both; the fine, when collected, shall be paid one-half to the person or corporation making the complaint, and the other half to the state board of health. Every person who shall swear to any falsehood in any statement re-

quired by § 4715 to be filed with the state board of health shall be guilty of perjury. The state board of health may appoint a clerk, and fix his salary, to be paid only out of the fees and penalties received under the provisions of this chapter.

§ 4720. Revocation of certificate. The secretary of the state board of health, upon the written request of all the members of any one of the examining committees mentioned in § 4716, may revoke and cancel the certificate of registration of any person convicted of any crime in the practice of his professional business, or convicted of a felony; but no one of the examining committees shall have the right to request the revocation and cancellation of a certificate granted upon the examination of any one of the other examining committees. 1901, ch. 135, §3.

§ 4721. Appointment of commissioners of pharmacy. There shall be three commissioners of pharmacy, all reputable pharmacists, to be appointed by the governor from six persons to be annually nominated to him by the Connecticut pharmaceutical association. 1881.
Rev. 1888, §3118.
1895, chs. 97, 178.

§ 4722. Term of office, vacancies. The governor shall, on or before the first day of June in the year 1903, and annually thereafter, appoint one such commissioner, who shall hold office for three years from the first day of June in the year of his appointment. 1881.
Rev. 1888, §3119.

§ 4723. Commissioners to keep record of proceedings. Said commissioners shall keep a record of their proceedings, and may give certified copies thereof, which shall be legal evidence. 1881.
Rev. 1888, §3120.

§ 4724. Pharmacists to be licensed. No person shall conduct or keep a place of any kind, for retailing drugs, medicines, poisons, or such chemicals as are used in compounding medicines, or compound or dispense prescriptions of a physician, or vend medicines or poisons, unless he shall have been licensed therefor, as hereafter in this chapter provided, or shall be under the supervision of a licensed pharmacist. 1881.
Rev. 1888, §3121.

§ 4725. Meetings of commissioners. Granting of licenses. The comptroller shall designate a room in the capitol for the meetings of said commissioners, which shall be held in each year on the first Tuesdays of March, April, June, September, and December, and at such other times and places as they may deem necessary, to determine the qualifications of applicants for license as pharmacists; and said commissioners shall license, by a certificate signed by them or by a majority of them, such persons as shall produce satisfactory evidence to them of their qualifications and attainments, either by diploma granted to the applicant by some reputable college of pharmacy, or by the certificate of some reputable pharmacist that the applicant has, for not less than three years prior to his application, received instruction in pharmacy and possesses the necessary qualifications of a pharmacist, or otherwise. 1881, 1882.
Rev. 1888, §3122.

§ 4726. Examination of applicants. Contents of license. All applicants for a license, other than a renewal of a license previously granted by said commissioners, shall be personally examined by them; *provided*, that such examinations may be omitted in the cases of applicants who exhibit to 1881, 1882.
Rev. 1888, §3123.

said commissioners a diploma granted by some reputable college of pharmacy, or a license in force within one year prior to the date of such application, granted by the board of commissioners of pharmacy of another state, if such license shall be deemed sufficient evidence of qualifications by the commissioners of pharmacy of this state. Licenses shall specify the name of the person licensed, the date when granted, the city or town in which he shall conduct his business, and, if in a city, the street and number of his place of business; and his license shall be conspicuously exhibited in his place of business, and shall remain in force until the first day of April next after its date, unless granted at a meeting of said commissioners on the first Tuesday of March, in which case such license shall terminate on the thirty-first day of March of the succeeding year, or unless such person shall remove his place of business without notice to the commissioners; and a license may be renewed upon the application of the person licensed, as in § 4727 provided.

1881.
Rev. 1888, §3124.

§ 4727. License to be renewed annually. Every person conducting the business of pharmacy shall, on or before the first Tuesday of March annually, apply to said commissioners for said license, or for a renewal thereof, and establish his right thereto by such evidence as shall be satisfactory to them; and they shall adopt forms of application for license, and rules and regulations prescribing the manner in which the evidence in support of such application shall be presented to them; and they shall furnish such forms and such rules and regulations to any person upon his request.

1881, 1882, 1886.
Rev. 1888, §3125.
1893, ch. 187.

§ 4728. License fees. Pay and expenses of commissioners. Each applicant shall pay to said commissioners three dollars for his license and two dollars for each renewal thereof; and whenever a personal examination shall be made as provided in § 4726, a fee of five dollars; but if upon such examination a license shall be refused, said fee shall be refunded to said applicant, but if any such applicant shall make a new application, and a license shall again be refused, said fee shall not in that case be refunded. Said commissioners shall account semiannually, on the first Tuesdays of December and June, with the treasurer of the state, for the sums received by them for licenses, and shall be paid by the state at the time of such accounting the money necessarily expended by them for stationery and printing, and a sum not exceeding two hundred dollars per annum, to be expended by said commissioners in the purchase of the necessary material and apparatus for the examination in practical laboratory work of applicants for licenses, and one hundred dollars per annum for clerical services, and compensation for their services at the rate of three hundred dollars per annum to each commissioner; *provided*, that if the amount received by said commissioners for said licenses shall not be sufficient to pay them said sums for services in full, such amount shall be apportioned, pro rata, among said commissioners, and their charges for expenses for stationery and printing and for services shall be audited and approved in the proportion aforesaid by the comptroller, who shall draw his order upon the treasurer therefor.

1881.
Rev. 1888, §3126.

§ 4729. Cases not covered by preceding sections. Nothing contained in the preceding sections of this chapter shall prevent a practicing physician from compounding his own prescriptions, or prevent the sale of proprietary

medicines, or prevent the sale of any drugs, medicines, or poisons at wholesale either to licensed pharmacists, or for use in manufactures or the arts, or prevent any person from becoming a partner in, or the proprietor of, a pharmacy conducted by a licensed pharmacist, or prevent any keeper of a country store from keeping for sale and selling such domestic remedies as are usually kept and sold in such stores; but such keeper shall not compound medicines, and medicinal preparations so kept, and recognized by the United States dispensatory, shall be compounded by a licensed pharmacist and marked by his label.

§ 4730. Penalty. Every person who shall wilfully violate any provision of the preceding sections of this chapter shall forfeit five dollars for each day that he shall continue such violation, one-half to him who shall prosecute to effect, and one-half to the town in which the offense is committed.

1881.
Rev. 1888, §3127.

§ 4731. Commissioners may prosecute, and revoke licenses. Said commissioners may examine into all cases of alleged abuse, fraud, and incompetence; cause the prosecution of all persons not complying with the provisions of this chapter, and suspend and revoke the registration of any person convicted of violating the same.

1887.
Rev. 1888, §3128.

§ 4732. Adulteration of drugs. Penalty. Every person who shall knowingly adulterate, or cause any foreign or inert substance to be mixed with, any drug or medicinal substance or preparation recognized by any pharmacopoeia, or employed in medicinal or medical practice, so as to weaken or destroy its medicinal effect, or shall sell such drug, compound, or preparation, knowing it to be so adulterated or mixed, shall be fined not less than ten nor more than one hundred dollars, and upon conviction all such adulterated or mixed articles in his possession may be seized upon a warrant issued by the court in which such conviction is had, and destroyed by the officer by whom such seizure shall be made.

1881.
Rev. 1888, §3129.

§ 4733. Rules as to sale of certain poisons. Penalty. Every person who shall sell arsenic, strychnine, corrosive sublimate, prussic acid, or cyanide potassium, shall affix to the package sold by him a label plainly marked with his name, date of sale, and the word "poison," and shall enter on a book kept by him for that purpose the name of the purchaser, date of sale, and the quantity sold, which book shall be kept open for public inspection, carefully preserved; and when he shall close his business, or remove from the town in which such business is carried on, or when said book shall be filled with such entries, it shall be deposited by him in the office of the town clerk of the town in which he may conduct his business; and any person who shall violate the preceding provisions of this section, or who, when purchasing any of the articles herein named, shall give a false or fictitious name to the vendor thereof, shall be fined not less than ten nor more than one hundred dollars.

1881, 1882, 1887.
Rev. 1888, §3130,
1889, ch. 91, §1.

§ 4734. Certain drugs to be marked "poison." Penalty. Every person who shall sell any of the articles named in the schedule accompanying this section, marked schedule A, except when prescribed by a practicing physician, or sold at wholesale to licensed pharmacists, or for use in manufactures or the arts, shall label the bottle, box, or wrapper containing any such article, with a label upon which shall be plainly written or printed the word "poison," and any person violating the provisions of this section shall be fined one dollar.

1882, 1887.
Rev. 1888, §3131,
1889, ch. 91, §2,
1897, ch. 141.

Schedule A.

Acid carbolic, ammoniated mercury, acid muriatic, chloroform, acid nitric, tincture aconite, acid sulphuric, tincture belladonna, acid oxalic, tincture digitalis, creosote, tincture opium, extract belladonna, tincture veratrum viride, sugar of lead, morphine, croton oil, nux vomica, cobalt, extract nux vomica, oil bitter almonds, opium, oil tansy, cocculus indicus, aqua ammonia, red oxide mercury, gelsemium, paris green, rat dynamite, rough on rats, or any article similar to the last three.

1881.
Rev. 1888, §3132.

§ 4735. Jurisdiction of prosecutions. Police courts, and city courts having criminal jurisdiction where established, and justices of the peace in towns where such courts do not exist, shall hear and determine prosecutions for violations of the foregoing provisions of this chapter.

1895, ch. 252, §§1,
2.

§ 4736. Sale of antitoxine. Powers of state board of health. No person shall sell, offer, or expose for sale, or shall receive or solicit any order for the sale or delivery, within this state, of any article known as diphtheria antitoxine, or any article prepared from the blood serum of any animal, and intended to be used for a medicine, unless the receptacle containing such preparation bears a label, on which is placed the name and address of the producer, and upon such label, or upon a circular accompanying such receptacle, and enclosed with it in a sealed package, shall be printed or written the date of production and the value of the contents in antitoxine as measured by some generally recognized standard. Every person violating any provision of this section shall be fined not more than five hundred dollars, or imprisoned not more than one year, or both. The state board of health may procure from any dealer in antitoxine or other blood serum medicine samples of such articles and cause the same to be tested, and if by such test it shall be found that the article tested is not such as it is represented to be on the package, but of inferior quality, then the seller of such inferior article shall be fined not more than five hundred dollars, or imprisoned not more than one year, or both.

1901, ch. 167,
§§1-7.

§ 4737. Osteopathy. Examining board; members; records. There shall continue to be a state board of osteopathic registration and examination, composed of three members. The governor shall, on or before the first day of July, 1903, and biennially thereafter, appoint the members of said board, who shall hold their office for two years from the first day of July in the year of their appointment, and until their successors shall have been appointed and qualified. The members of said board shall be resident osteopathic physicians of good standing in their profession and graduates of legally chartered colleges of osteopathy. Said board shall appoint one of its number to be its recorder, who shall keep a record of the official proceedings of said board, and copies of said record certified by him shall be legal evidence. On request of said board, the comptroller shall provide a suitable room in the capitol for its meetings. Said board shall meet at the capitol on the first Tuesdays of March and September in each year, and at such other times as a majority of the board shall appoint. At any meeting of said board, a majority of the members shall constitute a quorum. Said board shall create no expense exceeding the sum received from time to time as fees as hereinafter provided. Said board shall make such rules

of procedure for the regulation of all matters of application and hearing before it as it may deem advisable.

§ 4738. Licenses. Examinations. No person shall engage in the practice of osteopathy in this state unless such person shall have first obtained from the said board a license therefor. All applications for such license shall be in writing and signed by the applicant, upon blanks furnished by the said board, setting forth such facts concerning the applicant as said board shall require, and no license shall be granted to any person unless he shall have received a certificate of graduation from some reputable college of osteopathy, duly recognized by the laws of the state wherein the same is situated, or unless he shall have spent as pupil or assistant at least two years under the instruction and direction of some reputable practitioner of osteopathy, or unless he shall have been actually engaged in the practice of osteopathy in this state on June seventeenth, 1901. Any person who, at said date, was actually engaged in the practice of osteopathy in this state, shall be entitled to receive such license upon making application to the board as provided in this section and paying a fee of two dollars. Any person, who shall desire to commence the practice of osteopathy in this state, shall make application to the board as provided in this section. Upon the receipt of such application, the said board shall require the applicant to submit to an examination as to his qualifications for such practice, which examination shall include the subjects of anatomy, physiology, pathology, and the principles and practice of osteopathy. If such examination shall be passed to the satisfaction of the board, it shall issue its license to the said applicant. A license, however, may be granted without such examination to any person who has been in active and continuous practice of osteopathy for three successive years in any other state, who shall satisfy the board as to his fitness to engage in such practice.

1901, ch. 167,
§§8-11.

§ 4739. License fees; refusal and revocation of licenses; accounts and expenses; limitation of practice; penalty; medical practitioners not affected. Except as otherwise provided in § 4738, every person applying for a license shall at the time of his application pay to the recorder twenty-five dollars, and, if said applicant shall fail to obtain his license, twenty dollars shall be returned to him. The board shall refuse to grant a license to any person guilty of a felony, or addicted to any vice to such a degree as to render him unfit to practice osteopathy; and may, after notice and hearing, revoke the license of any person convicted of a felony. The recorder shall keep an account of all moneys received by him, and shall annually before the tenth of November of each year render an account thereof to the comptroller; and shall pay from the moneys received the expenses for necessary books and stationery for the use of said board and the necessary traveling expenses of the members of said board. The license provided for in § 4738 shall not authorize the holder thereof to prescribe or use drugs in his practice, nor to perform surgical operations. Osteopathic physicians shall be subject to the rules and regulations that govern other physicians in the making and filing of certificates of death, in the control of contagious diseases, and other matters pertaining to public health. Every person who shall engage in the practice of osteopathy in violation of any provision of this section or of §§ 4737 and 4738 shall be fined not less than twenty-five dollars nor more than one hundred dollars for each offense. Nothing in this section or in §§ 4737 or

1901, ch. 167,
§§12-17.

4738 shall prohibit any legally authorized practitioner of medicine or surgery in this state from the practice of his profession.

1893, ch. 130, §1.

§ 4740. Dentistry. Appointment of dental commissioners. The governor shall on or before the first of July biennially appoint five dental commissioners, who shall hold office for two years from the first of July in the year of their respective appointments, and until their successors shall have been appointed and qualified.

1893, ch. 130,
§§2-7.

§ 4741. Qualifications and duties of commissioners; meetings. No person shall be appointed a dental commissioner who shall not have been, for at least ten years previous to such appointment, a practitioner in dentistry in this state and in good standing in his profession. Said commissioners shall appoint one of their number to be their official recorder, who shall keep a record of their official proceedings, and copies of said record certified by him shall be legal evidence. The comptroller shall provide a suitable place in the capitol for said commissioners. The commissioners shall meet in May of each year and at such other times as they shall designate. They shall give due notice of every meeting by advertising the time and place thereof, for two weeks successively, in two of the daily newspapers published in Hartford. They may make rules of procedure for the regulation of all applications and hearings before them.

1887.
Rev. 1888, §2024.
1893, ch. 130, §8.

§ 4742. Not to engage in practice without license. No person shall engage in the practice of dentistry unless such person shall have first obtained from said commissioners a license. This section, however, shall not apply to persons engaged in the practice of dentistry in this state on the thirtieth of June, 1893.

1887.
Rev. 1888, §2024.
1893, ch. 130, §9.
1895, ch. 85.

§ 4743. Requisites of application for license. Every application for such license shall be in writing signed by the applicant, and no license shall issue to any person unless he shall have received a diploma or other sufficient certificate of graduation from some reputable dental college, or medical college having a department of dentistry and recognized by the laws of the state wherein the same is situated, or unless he shall have spent three years under the instruction of some reputable dentist, or unless he shall have had at least three years' continuous practice as a dentist.

Rev. 1888, §2024.
1893, ch. 130,
§§2, 7.

§ 4744. Grant and revocation of licenses. Every applicant for a license shall be examined by said commissioners as to his professional knowledge and skill before such license shall be granted, and they may refuse to grant a license where they are satisfied that the applicant is unfit or incompetent; they may for good and legal cause revoke any license that has been granted, and may prohibit any dentist in lawful practice from further practice, on satisfactory proof that such dentist has become unfit or incompetent. Cruelty, incapacity, unskillfulness, gross negligence, indecent conduct towards patients, or such unprofessional behavior as shows unfitness on the part of the dentist, shall be sufficient cause for the revocation of a license, or prohibition to practice; whenever complaint shall be made to a commissioner against a dentist said commissioner shall investigate the matter, and on finding probable cause shall notify the party complained of to appear before the dental commissioners and

show cause why he should not be prohibited from practice or why his license should not be revoked.

§ 4745. Notice of hearing on revocation. Every such notice shall be in writing, and signed by the recorder, and shall contain a statement of the causes for which such prohibition or revocation is claimed, and shall specify the place and time for the hearing, which shall be at least twelve days after the service of said notice. Said notice may be served by leaving a copy thereof, attested by the recorder, at the place of business of the party complained of or at his last usual place of abode, or by sending the same by mail. Rev. 1888, §2024.
1893, ch.130, §13.

§ 4746. Forfeiture of license. Every dentist who shall at any hearing before the commissioners, either by himself or by his procurement, make a false statement or misrepresentation with intent to deceive said commissioners, shall forfeit his license, or be prohibited from practice. 1893, ch.130, §14.

§ 4747. Appeal from order of revocation. Every dentist aggrieved by the action of said commissioners in the revocation of his license or prohibition from his practice, may apply to the superior court, or court of common pleas, in the county in which he resides, for a writ of mandamus, requiring them to revoke their decision, if the same be found on hearing to have been erroneous. Such application for mandamus may be served on said commissioners by leaving with the recorder or at his usual place of abode an attested copy thereof within twelve days after said commissioners shall have notified such dentist of their decision. 1893, ch.130, §15.

§ 4748. Fees and expenses. Every person applying for a license shall, at the time of his application, pay to the recorder a fee of twenty-five dollars, but if such applicant shall fail to obtain his license, twenty dollars shall be returned to him. The recorder shall keep an account of all moneys received by him, and shall annually in November render his account to the comptroller; and shall pay from the moneys received by him the necessary traveling expenses of the commissioners and for necessary books and stationery, and shall keep all files, receipts, and records in his possession, and deliver the same to his successors in office. 1893, ch. 130,
§§16, 17.

§ 4749. Physician or surgeon may practice dentistry. The provisions of this chapter shall not prevent a practicing physician or surgeon from the performance of an operation in dentistry on a patient under his charge, nor a lawfully practicing dentist from availing himself of the services of any pupil, student, or assistant, employed by him and under his immediate supervision. 1887.
Rev. 1888, §2024.
1893, ch.130, §10.

§ 4750. Report of commissioners. Said commissioners shall make an annual report of their proceedings to the governor. 1893, ch.130, §18.
1895, ch. 294.

§ 4751. Penalty. Every person who shall practice dentistry in violation of any provision of this chapter shall be fined not more than fifty dollars for each offense; and the unlawful practice of dentistry for each week shall be a separate offense. 1887.
Rev. 1888, §2025.
1893, ch.130, §19.

§ 4791. Nuisance created by filthy water. Every person who shall place, collect, or suffer to remain upon the surface of land owned or occupied by him, or shall discharge or suffer to be discharged from his premises upon 1885.
Rev. 1888, §3260.
1889, ch. 237.

the land of another or upon any public land, any filthy water, garbage, or other filthy or noxious matter, whereby the owner or occupant of land in the vicinity thereof shall be injured or annoyed, and every person who shall, outside of a city or borough, in any town engage or assist in the business of manufacturing fertilizers or other products from refuse animal matter, at any place within half a mile from a public highway, without license from the health officer of such town, shall be guilty of committing a nuisance, and shall be fined not more than fifty dollars; the court before which such conviction is had may order the defendant to remove such nuisance within three days, and upon his failure to do so it shall be removed by a constable of the town where such nuisance is maintained, and the court may tax the cost of the same against the defendant and issue execution therefor.

1855.
Rev. 1888, §3364.

§ 4795. Form of oath. The form of oath shall be as follows, to wit:

You solemnly swear that you will faithfully discharge, according to law, your duties as _____ to the best of your ability; so help you God.

§ 4811. There shall be paid —

Health board.

To each member of the state board of health, his actual traveling and other expenses;

1901, ch. 98.

To the secretary of the state board of health, such amount, not exceeding two thousand dollars, as shall be fixed by said board, and necessary expenses.

1893, ch. 248.

§ 4863. Health officer. To the county health officer, ten dollars a day of actual employment and his necessary expenses, payable quarterly by the state.

APPENDIX A.

REGULATIONS OF THE STATE BOARD OF HEALTH RELATING TO BURIAL OF CERTAIN BODIES.

At a meeting of the State Board of Health, held February 5, 1902, it was

Voted, That the body of any person who died of one of the diseases mentioned in section 1862 of the Gen. Stat., Revision of 1902, shall be prepared for burial by the person having it in charge, by wrapping it in several thicknesses of cloth, wrung out of a solution made by dissolving sixty grains of Corrosive Sublimate and two tablespoonfulls of Common Salt in one gallon of hot water, or, out of a solution made by dissolving six ounces of pure Carholic Acid (not the commercial, colored, impure Acid), in a gallon of hot water.

But in case of a person dead of Typhoid Fever, the body must be washed thoroughly with a solution of Bichloride of Mercury, one part to a thousand of water, or, Carholic Acid one part to twenty of water, or, with a forty per cent. solution of Formaldehyde, one part to four. After which the body must be wrapped as above directed except the head and face.

The face of a decedent from Typhoid Fever may be exposed to view, provided a tight glass cover fitted in the coffin protects it.

APPENDIX B.

In compliance with the law enacted by the General Assembly at the January session, 1901, the following sanitary regulations for the towns of Connecticut have been submitted to the State Board of Health, a hearing upon them given, after due notice of the time and place of hearing, to one of the selectmen and the health officer of each town, and they have been approved and certified to the town health officers.

APPROVED BY THE CONNECTICUT STATE BOARD OF HEALTH.

COMPLAINT OF NUISANCES, ETC.

REGULATION 1. Any complaint made to the town health officer may be required by him to be in writing, and bear the signature of the complainant.

INFECTIOUS OR CONTAGIOUS DISEASES.

REG. 2. Every physician shall report in writing to the town health officer, within twelve hours after his recognition of the disease, every case of cholera, yellow fever, typhus fever, leprosy, smallpox, diphtheria, membranous croup, typhoid fever, scarlet fever, cerebro-spinal fever, whooping cough, measles, pulmonary tuberculosis, or other contagious or infectious disease except those of a venereal nature.

REG. 3. Every householder in whose house any person shall be ill with any of the following diseases, to wit: Cholera, yellow fever, typhus fever, leprosy, smallpox, diphtheria, membranous croup, typhoid fever, scarlet fever, cerebro-spinal fever, whooping cough, measles, pulmonary tuberculosis (consumption), or other contagious or infectious disease, except those of a venereal nature, shall report the same to the town health officer within twelve hours of the first appearance of such disease, provided no physician shall be in attendance.

REG. 4. Until permission has been received from the health officer, no clothing or other property that may have been exposed to the infection of cholera, yellow fever, typhus fever,

leprosy, smallpox, diphtheria, membranous croup, or scarlet fever shall be removed from the house, nor shall any occupant of such infected dwelling change his residence without the consent of said health officer.

REG. 5. No superintendent, principal, or teacher of any school, and no parent or guardian of any child attending school, shall permit a child sick with smallpox, scarlet fever, diphtheria, membranous croup, measles, whooping cough, consumption, chicken pox, mumps, sore throat, scabies (itch), or child afflicted with lice, to attend school. Nor shall any child, residing in any household in which such disease shall exist, or any child afflicted with a rash or an eruption, be allowed to attend school without a written permit from the health officer.

REG. 6. No person affected with smallpox, diphtheria, membranous croup, scarlet fever, whooping cough, or measles shall attend any public meeting or assembly or travel in any public conveyance.

REG. 7. Warning of the existence of diphtheria, membranous croup, typhus fever, measles, smallpox, whooping cough, typhoid fever, or scarlet fever in any building shall be given to the public by placing in a place conspicuous to the public, on the outside near each common entrance to said building, a placard giving the name of said disease.

REG. 8. All cases of diphtheria, membranous croup, typhus fever, smallpox, scarlet fever, and primary cases of measles reported in this town, or of which the health officer has information, shall be quarantined in such manner as he may direct.

FUNERALS.

REG. 9. No person shall allow to be retained, unburied, the dead body of any human being for a longer time than four days, or where death has been caused by cholera, yellow fever, typhus fever, smallpox, typhoid fever, diphtheria, membranous croup, or scarlet fever, for a longer time than thirty-six hours after the death of such person, without a permit from the town health officer, which permit shall specify the length of time during which such body may remain unburied; and when death has been caused by one of the diseases herein mentioned, the body shall be immediately thereafter disinfected, or enclosed in a hermetically sealed coffin, which shall not thereafter be opened; and the funeral of such person, except when death is caused by typhoid fever, shall be attended at the house, only by the undertaker, his assistants, and persons living in the house where such person died, and by a clergyman, who shall take such precautions as the health officer may direct. In the removal thereof, for burial or otherwise, the body shall not be carried in a vehicle with other passengers. The bedding, clothing and furniture of the room wherein such person died shall be thoroughly disinfected and otherwise treated as the town health officer may order.

SPECIAL NUISANCES, PRIVY-VAULTS, CESSPOOLS, DRAINS, ETC.

REG. 10. No privy-vault, cesspool, or reservoir into which a privy, water-closet, or sink is drained, except it be water-tight, nor any other than a water-tight sewer or drain, shall be established or permitted so near a well, spring, or other source of water used for drinking or culinary purposes as in the judgment of the town health officer to contaminate the same. When any privy-vault or cesspool is discontinued, the contents shall be entirely removed and the vault filled with earth or other suitable material.

REG. 11. No person shall keep and maintain upon his premises at any time any privy, water-closet, sink, drain, cesspool, stable, or pigsty except in a cleanly and inoffensive condition.

REG. 12. No sewage drain, privy-vault, cesspool, or sink shall empty into any stream, pond, or other source of water or ice supply, nor shall any privy, pigsty, or stable be constructed so near such stream, pond, or other source of water or ice supply, that its contents will drain into the same.

REG. 13. No person shall throw, dump, or deposit any filth, garbage, or decaying animal or vegetable matter which may be prejudicial to public health, upon any vacant lot, highway, or public place, nor in any brook, pond, or spring. This does not preclude the proper use of fertilizers upon the land.

SPITTING.

REG. 14. No person shall spit upon the floor of any public building or upon the floor or platform of any trolley car running through or within the limits of this town.

DRAINAGE.

REG. 15. When the town health officer finds that the plumbing or drainage of any dwelling or habitation in this town is defective and dangerous to health or life, the owner or agent having the property in charge shall have placed, within a reasonable time, proper traps under every sink, basin, and other fixture, and shall have each soil-pipe carried through the roof to such height as the town health officer shall direct, not less than two feet, and of undiminished size whenever practicable, and, if this cannot be accomplished, said town health officer shall order such efficient ventilation and such repair of soil-pipes as shall in his judgment prevent the pollution of the premises by sewer gas. All drain pipes passing through the wall of any building shall be of iron or vitrified, salt-glazed tile, of such thickness as the town health officer shall determine.

REG. 16. No person shall bury in, draw off, or allow to run into any street or highway in this town, the contents (or any part thereof) of any cesspool or sink.

REG. 17. No person shall throw into or deposit in any vault, sink, privy, or cesspool, any offal, meat, fish, garbage, or any other substance except that of which such place is the appropriate receptacle.

SWINE, GOATS, ETC.

REG. 18. No person shall keep swine, fowls, or goats in any locality in this town in such a manner as to become, in the opinion of the town health officer, a nuisance.

MARKETS.

REG. 19. No person shall throw any butchers' offal or garbage, or any dead animal, or any putrid or stinking animal or vegetable matter, directly into, or where it may get into, any street, sewer, receiving basins, or into any river, any standing or running water, or upon any ground or premises in the built-up portions of the town.

REG. 20. All alleys, back yards, stables, privy-vaults, cesspools, and other like filthy places shall be efficiently cleaned and disinfected at regular intervals as prescribed from time to time by the town health officer.

BONE BOILING, ETC.

REG. 21. All persons engaged in the business of boiling or rendering of fat, lard, or animal matter, shall cause the scrap or residuum to be so dried or otherwise prepared as to effectually deprive such material of all offensive odors, and to preserve the same entirely inoffensive, immediately after the removal thereof from the receptacles in which the rendering process may be conducted.

QUARANTINE.

REG. 22. When any malignant or contagious disease shall exist in any house, the owner, occupant, or person in charge of said house shall carry out such quarantine and shall disinfect the premises at such times, and in such manner, as the town health officer shall order.

REG. 23. Clothing, furniture, school books, library books, etc., must not be removed from the quarantined premises until thoroughly disinfected.

REG. 24. All necessary disinfection shall be done under the supervision of the health officer.

REG. 25. As soon as the patient is convalescent, the health officer shall be notified by the attending physician; in case of death, by the undertaker or person in charge of the body.

REG. 26. When death occurs from pulmonary tuberculosis, the health officer shall be notified by the undertaker or person in charge of the body.

REG. 27. All persons are forbidden to enter or leave quarantined premises, unless permitted to do so by the health officer.

GARBAGE.

REG. 28. No person shall permit the accumulation in or around the immediate vicinity of any dwelling house or place of business under his control, of refuse matter, such as swill, waste of meat, sour flour, fish or shells, bones, dead carcasses, or any kind of animal or vegetable matter in a state of decomposition.

The following additional special regulations were approved for the towns mentioned :

For Bloomfield, East Hartford, East Haven, Farmington, Glastonbury, Hamden, Newington, North Haven, Orange, Rocky Hill, South Windsor, West Hartford, Wethersfield, Windsor, and Woodbury.

REG. 29. No garbage shall be brought into this town from any other town, or to other portions of the town from any borough or city within the limits of the town, unless a license shall be obtained from the town health officer, and under such restrictions as he shall impose. The violation of any such restriction shall be ground for revoking such license. If any person shall be aggrieved by the action of the town health officer in refusing to issue or in revoking a license, he shall have the right to appeal within one week to the county health officer, who with two members of the State Board of Health shall hear and determine said appeal.

For Fairfield :

REG. 29. No manure or similiar fertilizer shall be unloaded from any vessel or car, or having been unloaded, transported over any highway within the town of Fairfield, during the months of June, July, or August in any year, without a special permit in writing from the town health officer of said town.

For Milford :

REG. 29. Each car of manure at the Milford station must be unloaded within twenty-four hours from the time unloading is commenced.

REG. 30. No person shall remove the contents of privies, cesspools, etc., except at night, nor shall the said contents be carried through the streets of Milford, during daylight, unless some unusual condition exists, and then only with the permission of the health officer.

For Stratford :

REG. 29. The piling of mussels upon the shores, or adjacent to the Housatonic River or the islands therein, within the town of Stratford is hereby forbidden unless said mussels shall be disinfected within twenty-four hours from the time said mussels are taken from the water, with a solution made of dissolving chloride of lime in water, in the proportion of one pound of chloride of lime to one gallon of water, or some other disinfectant approved by the town health officer.

For Westport :

REG. 29. No fertilizer shall be deposited on any dock in the town of Westport, before November first, or after April first in each year.

REG. 30. All children before attending any school in the town of Westport shall be vaccinated.



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